prevent future provisioning problems for essential facilities. Finally, as the Commission has stated in prior orders, there are other means for ensuring that Verizon continues to comply with its obligations to competitive LECs.[406]

118. *Dark Fiber.* Under section 271(c)(2)(B)(ii) of the Communications Act, Verizon must demonstrate that it provides nondiscriminatory access to network elements in accordance with the non-discrimination provisions of section 251(c)(3).[407] Moreover, our rules specifically include dark fiber within the definition of the loop and transport UNEs that incumbents must make available to competitors pursuant to section 251(c)(3) of the Act.[408] Based on the record in this proceeding, we find that Verizon provides dark fiber in New Hampshire in compliance with checklist item 4.[409] Verizon has demonstrated that it offers dark fiber in New Hampshire pursuant to interconnection agreements and its SGAT.[410] Verizon also has agreed to take the additional step of "convert[ing] its entire SGAT into a tariff by the end of 2002," so that the dark fiber offering will be available under tariff, and thus will permit competitive LECs to directly order anything contained in the SGAT without adopting the terms of the entire SGAT.[411] Verizon further shows that it provides dark fiber using the same personnel, facilities, procedures and equipment as it uses for provisioning its own interoffice transmission facilities,[412] and repairs

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[406] *See* discussion of the Performance Assurance Plan, section VI., *infra.*; *see, e.g., Verizon NewJersey Order*, 17 FCC Rcd 12275, 12363, para. 179.

[407] 47 U.S.C. § 271(c)(2)(B)(ii); *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696, 3791--33795, paras. 205, 209-219 (1999); *see also Verizon New Jersey Order*, App. C at C03 ("[t]o determine whether a BOC applicant has met the prerequisites for entry into the long distance market, the Commission evaluates its compliance with the competitive checklist, as developed in the Commission's local competition rules and orders in effect at the time the application was filed").

[408] 47 U.S.C. § 251(c)(3); 47 C.F.R. §§ 51.319(a)(1) & (d)(1)(ii). Dark fiber is analogous to unused copper loop or transport facilities and is physically connected to the incumbent's network and is easily called into service by the incumbent. *UNE Remand Order,* 15 FCC Rcd at 3776, 3843-46, paras. 174, 325-330 & n.323.

[409] *See UNE Remand Order*, 15 FCC Rcd at 3776, para. 174; Letter from Richard T. Ellis, Director, Federal Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 02-157, (filed Aug. 15, 2002) (Verizon Aug. 15 Dark Fiber *Ex Parte* Letter). For the reasons discussed in this section, we also find Verizon in compliance with checklist item 5 (Transport).

[410] *See* Verizon Declaration of Lacouture/Ruesterholz, Attach. 1. Verizon points out that during February, March, and April 2002, Verizon received only 397 dark fiber orders in all New England states. Of these orders, 134 were cancelled by the competitive LEC. Verizon completed more than 94 percent of the remaining orders on time. *See Id.* at Attach. 31.

[411] Verizon Declaration of Lacouture/Ruesterholz Declaration, at para. 252.

[412] *Id.* at 243; Verizon Aug. 15 Dark Fiber Letter at 1-2 ("Verizon's dark fiber offering in New Hampshire also satisfies all of the additional dark fiber requirements in Vermont, where the FCC also found that Verizon's dark fiber offering is checklist-compliant.").

and maintains fiber that serves competitive LECs using the same methods and procedures it uses for itself.[413]

119. We reject BayRing's claim that Verizon's New Hampshire dark fiber policies are discriminatory and therefore violate our rules.[414] First, BayRing relies on alleged conduct by Verizon in the provisioning of dark fiber in New Hampshire that predates significant actions taken by the New Hampshire Commission to ensure nondiscriminatory access to unbundled dark fiber.[415] Second, BayRing does not allege any discriminatory conduct on the part of Verizon subsequent to the New Hampshire Commission's adoption of its new dark fiber polices, and does not explain how the actions taken by the New Hampshire Commission are deficient to address its concerns. Finally, BayRing raises novel interpretive issues under the Commission's unbundling rules that are best addressed outside of a section 271 proceeding.

120. We disagree with BayRing that Verizon's New Hampshire dark fiber reservations policy violates our unbundling rules. BayRing argues that in New Hampshire Verizon has undue discretion to restrict the amount of dark fiber available for use by competitive LECs.[416] We do not agree. First, BayRing solely relies on alleged discriminatory conduct that occurred in 2001.[417] To the extent that a problem existed with Verizon's New Hampshire dark fiber reservations policy, Verizon shows that the New Hampshire Commission has addressed BayRing's concerns.[418] The New Hampshire Commission modified its dark fiber reservation rules so that, now, Verizon must provide information to competitive LECs on dark fiber availability within 15 business days of any request, and additional information within 30

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[413] Verizon, Declaration of Lacouture/Ruesterholz at para. 244-247; 253-256.

[414] BayRing Comments at 30. BayRing states that the record before the New Hampshire Commission demonstrated that few competitive LECs have ordered dark fiber in New Hampshire because, before placing an order, a competitive LEC must determine whether fiber is available and Verizon has responded 84 percent of the time that dark fiber is not available. *Id.* at 29. BayRing further states that, in Massachusetts, Verizon informed competitive LECs that dark fiber was not available only 35 percent of the time. *Id.* at 30.

[415] According to Verizon, no competitive LEC has challenged any of Verizon's dark fiber inquiry responses in New Hampshire since the implementation of the new procedures. Verizon Aug. 15 Dark Fiber *Ex Parte* Letter.

[416] BayRing states that, unlike Verizon's policy in Massachusetts, the New Hampshire reservations policy, which governs the amount of dark fiber Verizon may reserve for its own use, permits Verizon to earmark available dark fiber for future "aggregate" customer demand, even absent a specific request for use of the fiber from a potential wholesale customer. This policy, BayRing argues, accounts for the 84% rejection rate competitive LECs experience when attempting to order dark fiber. According to BayRing, in Massachusetts Verizon must provide documentation to substantiate any assertion that dark fiber is not available for lease as an UNE, while in New Hampshire, "Verizon will not agree to support any such assertion by providing relevant documentation to CLECs." BayRing Comments at 33 (citing, BayRing Comments Appen. A., Tab 4, Exh. 37, at para. 51).

[417] BayRing Comments at 29.

[418] New Hampshire Commission Aug. 23 Dark Fiber *Ex Parte* Letter at 3.

calendar days, unless the competitive LEC withdraws its request.[419] Moreover, the New Hampshire Commission found that Verizon's "reservations terms are in compliance with [the New Hampshire Commission's] orders and mirror [Verizon's] policies in other . . . states except for Massachusetts. For that reason the [New Hampshire Commission] determined that [Verizon's] reservations policy is reasonable."[420] Accordingly, we conclude that the New Hampshire Commission has taken sufficient steps to ensure competitive access to the dark fiber UNE, and we reject BayRing's assertions that Verizon is "hoarding" dark fiber in contravention of our rules.

121. Even if we were to accept BayRing's claim that there was, at some point in time, an 84 percent rejection rate of dark fiber requests,[421] we note that Verizon, as directed by the New Hampshire Commission, has "considered this issue at length" and taken other steps, in addition to those discussed above, to address the availability of unbundled dark fiber in New Hampshire.[422] First, the New Hampshire Commission "adopted an 80 percent fill factor for both dark and lit fiber to reflect the actual usage and avoid double counting by [Verizon]" and more closely mirror the 84 percent rejection rate.[423] Second, the New Hampshire Commission confirmed the validity of Verizon's "no facilities available" responses for three different routes, and addressed the low level of dark fiber availability by requiring Verizon in the future to take into account projected competitive LEC demand, when planning to build new fiber segments or when constructing fiber augments for itself.[424] Because Verizon, as directed by the New Hampshire Commission has taken steps to ensure the availability of unbundled dark fiber, and because we have not received any credible evidence of discrimination in dark fiber provisioning

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[419] *Id.* For example where Verizon determines that no facilities are available, Verizon must identify for the requesting competitive LEC the route triggering the "no facilities available" response, indicate what alternate routes have been investigated, and identify the first blocked segment on each route as well as all of those segments which are not blocked. We note that Verizon points out that the New Hampshire Commission has never imposed a specific limit on the number of dark fiber strands that Verizon may use or assign. *See,* Letter from Richard T. Ellis, Director, Federal Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 02-157, (filed Sept. 12, 2002) (Verizon Sept. 12 Dark Fiber *Ex Parte* Letter).

[420] New Hampshire Commission Aug. 23 Dark Fiber *Ex Parte* Letter at 3.

[421] Although BayRing provides multiple citations to state testimony concerning its cross-examination of a Verizon witness on the dark fiber issues, it fails to state in its comments how it calculated the 84 percent figure, what period of time was measured, or how many occurrences this alleged rejection rate represents. *See* BayRing Comments at 29.

[422] Moreover, Verizon argues that "BayRing is not referring to orders for dark fiber that are rejected. It is actually referring to queries on the *availability* of dark fiber 'because prior to placing an order, a [competitive LEC] must first inquire whether there is fiber available . . .'" New Hampshire Commission Sept. 12 Dark Fiber *Ex Parte* Letter at 2 (quoting BayRing Comments at 29) (emphasis added).

[423] New Hampshire Commission Aug. 23 Dark Fiber *Ex Parte* Letter at 2.

[424] The New Hampshire Commission "found that such a requirement dose not rise to the level of construction of new or superior facilities." *Id;* New Hampshire Commission Sept. 12 Dark Fiber *Ex Parte* Letter at 2.

sufficient to outweigh Verizon's showing, we are not persuaded that Verizon fails to provide dark fiber in New Hampshire in compliance with our unbundling rules.

122. Finally, we reject BayRing's contention that Verizon's dark fiber policies violate checklist item 2 by restricting points of access to dark fiber. BayRing argues that Verizon will only provide dark fiber as a UNE to competitive LECs where the fiber is located at the Verizon wire center and terminated at both ends of the route; and that Verizon will not provision dark fiber as a UNE to competitive LECs when the fiber is found in a cable vault, manhole or other location outside of the wire center.[425] We note that BayRing's request for access to fiber at points other than at a central office is, in effect, a request for access to a *fiber subloop*, and is therefore subject to the Commission's subloop rules and analysis.[426] The Commission's subloop unbundling rules do not address BayRing's request that it be permitted access to dark fiber at splice points. Instead the Commission's rules mandate access to subloops at terminals in the incumbent's plant, that is, at the customer premises; at the main distribution frame; and anywhere that a feeder and distribution plant meet.[427] Accordingly, under the Commission's current subloop unbundling analysis, BayRing is not correct that Verizon must make available dark fiber that is not already terminated at accessible terminals. BayRing's request for access to a fiber subloop cannot be addressed in a section 271 proceeding because it raises issues of interpretation of Commission rules. Therefore, BayRing could raise such requests in a complaint proceeding but not in a section 271 proceeding.

IV. OTHER CHECKLIST ITEMS

A. Checklist Item 1 – Interconnection

123. Based on the evidence in the record, we conclude, as did the New Hampshire and Delaware Commissions, that Verizon provides access and interconnection on terms and conditions that are just, reasonable and nondiscriminatory, in accordance with the requirements of section 251(c)(2) and as specified in section 271, and applied in the Commission's prior orders.[428] However, two commenters—one in New Hampshire, the other in Delaware—describe

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[425] BayRing Comments at 30-31. Furthermore, BayRing asserts that when Verizon constructs and installs new fiber routes, Verizon's practice is to leave the network partially unbuilt, refusing to offer the new fiber to competitive LECs until the route is completely spliced from end to end, and terminated at terminals at each end. BayRing argues that these practices are discriminatory and violate Section 251(c)(3) of the Act, because they permit Verizon to "grossly limit" the available inventory of available dark fiber UNEs in New Hampshire while ensuring that there is excess supply available for Verizon's own use and its retail customers.

[426] *See* 47 C.F.R. § 51.319(a)(2).

[427] *See UNE Remand Order*, 15 FCC Rcd at 3789-90, para. 206.

[428] Verizon Application at 19; Verizon DE-NH Lacouture/Ruesterholz Decl. at paras. 11-14, 22, 35, 42-47; Verizon DE Lacouture/Ruesterholz Decl. at paras. 13-16, 25, 31-38, 41-47. We note that Verizon provides the same interconnection to competitive LECs in New Hampshire and Delaware that it provides in states that have already received section 271 approval, and provides them using the same processes and procedures. Moreover, as Verizon points out, we have found that Verizon provides satisfactory performance in providing interconnection to (continued....)

specific incidents in their respective comments that they claim warrant a finding of checklist noncompliance with respect to checklist item 1.[429]

124. In New Hampshire, BayRing asserts that Verizon engaged in anticompetitive conduct with respect to the formation of an interconnection agreement between Verizon and Network Plus.[430] BayRing argues that Verizon delayed entering into a previously-approved interconnection agreement with Network Plus, forcing it to purchase resale services rather than less expensive UNEs.[431] This increased Network Plus's costs, which impaired its ability to be profitable and competitive and, in turn, harmed customers by delaying their service and increasing their costs.[432] In this way, argues BayRing, Verizon created barriers to competitive entry in New Hampshire.[433] Verizon argues that this isolated instance does not demonstrate that Verizon engages in unfair interconnection tactics in New Hampshire.[434] In fact, Verizon argues that its interconnection policies are identical to its policies in states where it has already received section 271 approval.[435]

125. We reject BayRing's arguments. First, BayRing raises a single incident in which it argues Verizon delayed entering into an interconnection agreement. BayRing raises no other complaints concerning Verizon's compliance with checklist item one, nor does any other commenting party, including the New Hampshire Commission. We find that this single incident, without more, is insufficient to support a finding that Verizon is engaged in anticompetitive or discriminatory behavior with regard to checklist item one. Nothing in BayRing's assertions persuades us that these incidents fall outside the normal carrier-to-carrier relationship or constitute discrimination or anticompetitive behavior. Moreover, even if true, none of BayRing

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competitive LECs in Massachusetts and Pennsylvania, where volumes are higher than in New Hampshire and Delaware. Verizon Application at 19; *Verizon Massachusetts Order*, 16 FCC Rcd 8988, 9087, para. 182; *Verizon Pennsylvania Order*, 16 FCC Rcd 17419, 17473-74, para. 99.

[429] *See* Cavalier Comments at 1-5; BayRing Comments at 71-76, 81-83. Cavalier asserts that its on-going interconnection dispute with Verizon violates section 271(c)(1)(A), checklist item 1 (interconnection), checklist item 13 (reciprocal compensation), and other checklist items. Because Cavalier does not explain how this unresolved contractual matter rises to the level of checklist non-compliance, we reject Cavalier's assertions. *See* section IV.A.1., *infra*.

[430] BayRing Comments at 72.

[431] *Id.* at 72-75.

[432] *Id.* at 73.

[433] *Id.* at 70-89.

[434] Letter from Richard T. Ellis, Director, Federal Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket. 02-157 (filed Aug. 16, 2002) (Verizon DE-NH Aug. 16 *Ex Parte* Letter) at 5.

[435] *Id.* at 5; Verizon Application at 19. *See* Verizon Reply at 34-35.

arguments is sufficient to outweigh Verizon's showing of compliance with checklist item 1 in New Hampshire.

1. Pricing of Interconnection

126. Checklist item one requires a BOC to provide "interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)."[436] Section 251(c)(2) requires incumbent LECs to provide interconnection "at any technically feasible point within the carrier's network . . . on rates, terms, and conditions that are just, reasonable, and nondiscriminatory."[437] Section 252(d)(1) requires state determinations regarding the rates, terms, and conditions of interconnection to be based on cost and to be nondiscriminatory, and allows the rates to include a reasonable profit.[438] The Commission's pricing rules require, among other things, that in order to comply with its collocation obligations, an incumbent LEC provide collocation at rates that are based on TELRIC.[439]

127. In its comments, BayRing alleges that Verizon's challenge to existing collocation power rates in New Hampshire precludes a finding of checklist compliance.[440] Verizon has appealed the collocation power rates established by the New Hampshire Commission to the New Hampshire Supreme Court.[441] BayRing argues that, until that appeal is resolved, "the collocation power rates will, in effect, be interim, leaving competitive LECs with a tremendous amount of uncertainty as to what the ultimate rates will be."[442] According to BayRing, as long as Verizon continues to challenge the collocation power rates established by the New Hampshire Commission, there can be no finding of checklist compliance.[443]

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436 47 U.S.C. § 271(c)(2)(B)(i).

437 47 U.S.C. § 251(c)(2).

438 47 U.S.C. § 252(d)(1).

439 *See* 47 C.F.R. §§ 51.501-07, 51.509(g); *Local Competition First Report and Order*, 11 FCC Rcd at 15812-16, 15844-61, 15874-76, 15912, paras. 618-29, 674-712, 743-51, 826.

440 BayRing Comments at 27. *See also* BayRing Reply at 15 (clarifying that the uncertainty concerning collocation power pricing should be considered under checklist item one). Specifically, BayRing claims that, until the uncertainty is resolved in regard to Verizon's collocation power rates, there can be no finding that Verizon is providing collocation at TELRIC prices. BayRing Reply at 16.

441 BayRing Comments at 28.

442 *Id.* In its reply, BayRing states that this uncertainty is a "further indication of why Verizon's application is not in the public interest." Because BayRing provides no analysis in support of this statement and because we find that grant of Verizon's 271 application is otherwise in the public interest, we decline to reject the application on this public interest basis.

443 *Id.* at 29. In further support of this position, BayRing quotes a letter from the New Jersey state commission stating that "a Verizon challenge of the validity or effective date of the rates or any attempt to increase or otherwise (continued....)

128. In establishing Verizon's New Hampshire collocation rates, the New Hampshire Commission initially determined that Verizon incurred no incremental cost for producing the power delivered to the collocation point.[444] The New Hampshire Commission stated that Verizon failed to show that the installation of additional power equipment was necessary to meet competitive LEC needs.[445] Accordingly, the New Hampshire Commission declined to approve Bell Atlantic's collocation power costs.[446] On August 3, 2001, Verizon filed a Motion for Rehearing and/or Reconsideration of, among other things, the New Hampshire Commission's decision concerning collocation power costs.[447] On reconsideration, the New Hampshire Commission found that the estimated power plant investment modeled by Verizon would require further investment to accommodate incremental growth.[448] After making several modifications to Verizon's power cost calculations, the New Hampshire Commission established the recurring monthly per amp costs for collocation power.[449]

129. On December 21, 2001, Verizon sought reconsideration of the modifications made by the New Hampshire Commission to Verizon's collocation power costs.[450] Specifically, Verizon asked the New Hampshire Commission to: (1) reconsider its decision to require a different installation factor; (2) clarify that Verizon may charge a statewide average rate for DC power; (3) adjust the amps over which the remaining level of investment is spread once the total power investment is reduced by the amount already recovered via switching; and (4) correct the method of applying the joint and common cost factor.[451] On February 4, 2002, the New Hampshire Commission released an order denying Verizon's request for reconsideration of the installation factor and the amps over which the remaining level of investment is spread.[452] The

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change these rates, will call into question whether modified rates would be TELRIC-compliant, and, therefore, also call into question the Board's finding of compliance with Checklist Item 2." *Id.* at 28. We note that the New Hampshire Commission could have expressed similar concerns in light of Verizon's appeal of the collocation power rates, but declined to do so. Instead, the New Hampshire Commission determined that, subject to the certain conditions, Verizon had met all 14 checklist items. New Hampshire Commission Comments at 18.

444 *New Hampshire SGAT Order* at 117-18.

445 *Id.; see also* BayRing Comments at 27-28.

446 *New Hampshire SGAT Order* at 162.

447 *New Hampshire SGAT Recon. Order* at 3; BayRing Comments at 28.

448 *New Hampshire SGAT Recon. Order* at 35.

449 *Id.* at 37. Specifically, the New Hampshire Commission modified the installation factor used by Verizon, corrected a computational error in the application of the joint and common cost factor to power plant investment, and ordered Verizon to back-out the power costs already recovered via switching charges. *Id.* at 36-37.

450 *New Hampshire SGAT Second Recon. Order* at 1-3.

451 *Id.* at 2-3.

452 *Id.* at 10-11.

New Hampshire Commission did, however, require Verizon to offer DC power on a deaveraged basis and corrected a computational error concerning the application of the joint and common cost factor.[453] The New Hampshire Commission also re-calculated the DC power rates using an updated joint and common cost factor.[454] The order required Verizon to file compliance SGAT pages with an effective date of July 6, 2001.[455]

130. Based on the evidence in the record, we do not agree that Verizon's pending appeal of the collocation power rates established by the New Hampshire Commission precludes a finding of checklist compliance. In its comments, BayRing concedes that the New Hampshire Commission established TELRIC-compliant collocation power rates[456] and BayRing does not allege that Verizon is failing to charge the appropriate rates. The crux of BayRing's claim is that the pending appeal of Verizon's collocation power rates makes them "interim" and that the resulting uncertainty surrounding these rates is inhibiting competing LECs from providing service to particular customers.[457] There is no evidence in the record to suggest that Verizon's collocation power rates are "interim" as BayRing suggests. Nothing contained in the SGAT orders indicates that the New Hampshire Commission considered Verizon's collocation power rates to be temporary or interim, and there is no indication that the New Hampshire Commission will revisit collocation rates in the near future.

131. Contrary to BayRing's assertion, the mere fact that Verizon is disputing the permanent collocation power rates established by the New Hampshire Commission does not preclude a finding of checklist compliance. As this Commission has stated:

> [T]he section 271 process could not function as Congress intended if we adopted a general policy of denying a section 271 application accompanied by unresolved pricing or other intercarrier disputes. . . . If uncertainty about the proper outcome of such disputes were sufficient to undermine a section 271 application, such applications could rarely be granted. Congress did not intend such an outcome.[458]

Thus, although there may be some degree of uncertainty concerning the ultimate outcome of the pending appeal, such uncertainty does not warrant denial of Verizon's New Hampshire section 271 application. Until that appeal is resolved, competitive LECs have the relative certainty of the collocation power rates established by the New Hampshire Commission.

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453 *Id.* at 11-12.

454 *Id.* at 13.

455 *Id.* 13-14.

456 BayRing Comments at 28 (stating that the New Hampshire Commission "has determined a TELRIC-compliant collocation power rate").

457 *Id.*

458 *SWBT Texas Order*, 15 FCC Rcd 18394, para. 87.

132. In Delaware, Cavalier alleges that Verizon refuses to provide compensation for Verizon-originated traffic that Cavalier carries from the physical interconnection point to Cavalier's switch.[459] As this refusal, which has been the subject of a dispute between Verizon and Cavalier for some time, has most recently arisen in the context of interconnection negotiations where Verizon is attempting to create a distinction between physical and financial interconnection points, Cavalier now alleges that this refusal causes Verizon to fail to satisfy its obligation to provide interconnection at just, reasonable, and nondiscriminatory rates pursuant to checklist item one.[460] Cavalier raised this same complaint in the New Jersey section 271 proceeding, where it was cast as a violation of Verizon's obligation to enter reciprocal compensation arrangements pursuant to checklist item 13.[461] Cavalier also has raised this complaint to the Delaware Commission, both in the state section 271 proceeding, and a separate complaint proceeding. The Delaware Commission declined to resolve this dispute in the state section 271 proceeding, instead stating that it was a contractual dispute that it would resolve "promptly" in the separate complaint proceeding.[462] Consistent with our conclusion in the *Verizon New Jersey Order* and the Delaware Commission determination, we find that this dispute concerning conflicting interpretations of an interconnection agreement is best resolved by the Delaware Commission in Cavalier's complaint proceeding.[463] We decline to interfere with an ongoing state proceeding that is expected to resolve a dispute over an interconnection agreement promptly.

133. Accordingly, we find that Verizon offers interconnection in New Hampshire and Delaware to other telecommunications carriers at just, reasonable, and nondiscriminatory rates, in compliance with checklist item one.

B. Checklist Item 11 – Local Number Portability

134. Section 271(c)(2)(B)(xi) of the Act requires a BOC to comply with the number portability regulations adopted by the Commission pursuant to section 251.[464] Based on the evidence in the record we conclude, as did the Delaware and New Hampshire Commissions, that Verizon provides local number portability in accordance with checklist item 11.[465] Although in

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459 Cavalier Comments at 2.

460 *Id.* at 5.

461 *Verizon New Jersey Order*, 17 FCC Rcd at 12354, para. 159. Cavalier also claims here that Verizon's refusal is a violation of checklist item 13. Cavalier Comments at 5.

462 Delaware Commission Comments at 8-9; *see also* Verizon Reply at 35-36.

463 *Verizon New Jersey Order*, 17 FCC Rcd at 12354, para. 159. *See also Verizon Pennsylvania Order*, 16 FCC Rcd at 17484, para. 118.

464 47 U.S.C. § 271(c)(2)(B)(xi).

465 *See* Verizon Application at 87-88.

Delaware Verizon failed to achieve the benchmark in four of the relevant months, the sample sizes were too small to be statistically reliable.[466] As noted above, Verizon uses the same processes and procedures relating to unbundled loops in Delaware as it does in Pennsylvania.[467] Therefore, because there is insufficient data in Delaware, we look to Verizon's performance in Pennsylvania as a basis for our evaluation. Verizon has met the benchmark standard for this measurement in Pennsylvania in each relevant month, where volumes are considerably higher than in Delaware.[468] Indeed, Verizon's performance in Pennsylvania never dropped below 99 percent, a level of performance well above the 95 percent benchmark for this measurement. We note that no commenter challenges Verizon's compliance with this checklist item.

C. Remaining Checklist Items (3, 5, 6, 7, 8, 9, 10, 12, 13, and 14)

135. In addition to showing that it is in compliance with the requirements discussed above, an applicant under section 271 must demonstrate that it complies with checklist item 3 (access to poles, ducts, and conduits),[469] item 5 (transport),[470] item 6 (unbundled local switching),[471] item 7 (911/E911 access and directory assistance/operator services),[472] item 8 (white pages directory listings),[473] item 9 (numbering administration),[474] item 10 (databases and associated signaling),[475] item 12 (local dialing parity),[476] item 13 (reciprocal compensation),[477] and item 14 (resale).[478] Based on the evidence in the record, we conclude, as did the New Hampshire and Delaware Commissions, that Verizon demonstrates that it is in compliance with

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466 In Delaware, from February through June 2002, Verizon completed an average of only nine local number portability orders per month.

467 Verizon DE Lacouture/Ruesterholz Decl., para. 79.

468 *See* Pennsylvania PR-4-07-3540 (Percent On Time Performance – Local Number Portability) (99.75% in February, 99.51% in March, 99.66% in April; 99.69% in May, 99.54% in June).

469 47 U.S.C. § 271(c)(2)(B)(iii).

470 47 U.S.C. § 271(c)(2)(B)(v).

471 47 U.S.C. § 271(c)(2)(B)(vi).

472 47 U.S.C. § 271(c)(2)(B)(vii).

473 47 U.S.C. § 271(c)(2)(B)(viii).

474 47 U.S.C. § 271(c)(2)(B)(ix).

475 47 U.S.C. § 271(c)(2)(B)(x).

476 47 U.S.C. § 271(c)(2)(B)(xii).

477 47 U.S.C. § 271(c)(2)(B)(xiii).

478 *Id.* § 271(c)(2)(B)(xiv).

checklist items 3, 5, 6, 7, 8, 9, 10, 12, 13, and 14 in New Hampshire and Delaware.[479] No parties objected to Verizon's compliance with these checklist items.

V. SECTION 272 COMPLIANCE

136. Section 271(d)(3)(B) provides that the Commission shall not approve a BOC's application to provide interLATA services unless the BOC demonstrates that the "requested authorization will be carried out in accordance with the requirements of section 272."[480] Based on the record, we conclude that Verizon has demonstrated that it will comply with the requirements of section 272.[481] Significantly, Verizon provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Delaware and New Hampshire as it does in Pennsylvania, New York, Connecticut, and Massachusetts--states in which Verizon has already received section 271 authority.[482] No party challenges Verizon's section 272 showing.[483]

VI. PUBLIC INTEREST ANALYSIS

137. Apart from determining whether a BOC satisfies the competitive checklist and will comply with section 272, Congress directed the Commission to assess whether the requested authorization would be consistent with the public interest, convenience, and necessity.[484] At the same time, section 271(d)(4) of the Act states in full that "[t]he Commission may not, by rule or otherwise, limit or extend the terms used in the competitive checklist set forth in subsection

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[479] *See* Verizon Application at 78-79 (checklist item 3), 52-53 (checklist item 5); 51-52 (checklist item 6), 80-83 (checklist item 7), 83-85 (checklist item 8), 85 (checklist item 9), 85-87 (checklist item 10); 88-89 (checklist item 12); 89-90 (checklist item 13); 90-93 (checklist item 14); Delaware Commission Comments at 16, 19-28; New Hampshire Commission Comments at 11-12, 20.

[480] 47 U.S.C. § 271(d)(3)(B); Appendix F at paras. 68-69.

[481] See Verizon Application at 110-115; Verizon Application Appen. A, Vol. 5, Tab H, Declaration of Susan C. Browning (Verizon Browning Decl.) at para. 4.

[482] *Verizon Pennsylvania Order*, 16 FCC Rcd at 17486, para. 124; *Application of Verizon New York Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks Inc. and Verizon Select Services, Inc. for Authorization to Provide In-Region, InterLATA Services in Connecticut*, Memorandum Opinion and Order, (2001) (*Verizon Connecticut Order*); 16 FCC Rcd 14147, 14178-79, para. 73; *Verizon Massachusetts Order*, 16 FCC Rcd at 9114-17, paras. 226-31; *Bell Atlantic New York Order*, 15 FCC Rcd at 4152-61, paras. 401-21; Verizon Browning Decl. at paras 3-4.

[483] Pricewaterhouse Coopers completed the first independent audit of Verizon's section 272 compliance pursuant to section 53.209 of the Commission's rules. *See* 47 C.F.R. § 53.209. *See* Letter from Pricewaterhouse Coopers LLP to Magalie Roman Salas, Secretary, Federal Communications Commission (June 11, 2001) (transmitting audit report). Although the audit raises issues that may require further investigation, the audit results, standing alone, are insufficient to establish that Verizon does not comply with section 272.

[484] 47 U.S.C. §271(d)(3)(C); Appen. F at paras. 70-71.

(c)(2)(B)."[485] The Commission views the public interest requirement as an opportunity to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will serve the public interest as Congress expected.

138. We conclude that approval of this application is consistent with the public interest. From our extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, we find that barriers to competitive entry in the local exchange markets have been removed and the local exchange markets in New Hampshire and Delaware are open to competition. We further find that, as noted in prior section 271 orders, BOC entry into the long distance market will benefit consumers and competition if the relevant local exchange market is open to competition consistent with the competitive checklist.[486]

139. We disagree with commenters that low levels of facilities-based residential competition in New Hampshire and Delaware indicate that it would be inconsistent with the public interest to grant this application.[487] The Commission consistently has declined to adopt a market share or other, similar test for BOC entry into long distance.[488] Given an affirmative showing that the competitive checklist has been satisfied, low customer volumes in any one particular mode of entry or in general do not necessarily undermine that showing.[489] As the Commission has said in previous section 271 orders, factors beyond the control of the BOC, such as individual competitive LEC entry strategies, might explain a low residential customer base.[490]

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[485] 47 U.S.C. §271(d)(4).

[486] *See SWBT Texas Order*, 15 FCC Rcd at 18558-89, para. 419.

[487] AT&T argues that Verizon has created barriers to entry for residential service. AT&T claims that fewer than one percent of lines – and nearly no residential lines – in both Delaware and New Hampshire are served by UNE-based competitors. Moreover AT&T claims that enhancing long distance competition is not a sufficient reason why Verizon's section 271 approval would serve the public interest. AT&T Comments at 38-45; AT&T Reply at 17. Sprint also asserts that we should take into account low levels of competition, regulatory uncertainty, the weakening economy, the financial difficulties of some competitive LECs, and decisions by other BOCs not to compete out-of-region, and that therefore, the public interest would not be served by granting Verizon section 271 approval. Sprint Comments at 4-12.

[488] *See, e.g., Ameritech Michigan Order*, 12 FCC Rcd at 20748, para. 391; *see also Sprint v. FCC*, 274 F.3d at 553-54 ("The statute imposes no volume requirements for satisfaction of [section 271(c)(1)(A)].").

[489] Indeed, the Department of Justice concluded that opportunities for facilities-based carriers to serve business customers are available in these states. The Verizon systems and processes serving Delaware and New Hampshire are largely the same as those approved in the *Verizon Pennsylvania Order* and the *Verizon Massachusetts Order* respectively. Moreover, the Department of Justice concludes that Verizon supports opportunities for competitive LECs to serve both business and residential customers via facilities and other modes of entry. Department of Justice Evaluation at 5-10. *See also* Verizon Reply at 8.

[490] *See, e.g., Verizon Pennsylvania Order*, 16 FCC Rcd at 17487, para. 126.

140. Moreover, given an affirmative showing that the competitive checklist has been satisfied, neither the financial hardships of the competitive LEC community nor low customer volumes in any one particular mode of entry or in general, would necessarily undermine that showing. Verizon demonstrates that there is significant local competition in Delaware and New Hampshire, that Verizon's local market will remain open to competition, and that section 271 approval would enhance local and long distance competition in Delaware and New Hampshire.[491] Indeed, the Department of Justice concluded that opportunities to serve business customers via the facilities-based and resale modes of entry are available in Delaware and New Hampshire and there do not appear to be any material non-price obstacles to residential competition in Delaware and New Hampshire.[492] As we have noted in previous section 271 orders,[493] several factors might explain a low residential customer base, such as the entry strategies of individual competitive LECs or other BOCs. We have consistently declined to use such factors – which are beyond the control of the section 271 applicant – to deny an application, and we disagree with Sprint in this regard.[494]

141. As we discuss more fully in other sections of this Order, we disagree with BayRing that past disputes with Verizon demonstrate that granting section 271 approval in New Hampshire would not be in the public interest.[495] Verizon has demonstrated that its local market is open to competition and that it satisfies the competitive checklist. As we discuss more fully elsewhere in this order, Verizon provides nondiscriminatory access to high capacity loops and dark fiber.[496] In addition, each of the problems BayRing has identified has been resolved,[497] and

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491 Verizon Reply at 39.

492 Department of Justice Evaluation at 6-7, 9.

493 *Verizon Pennsylvania Order*, 16 FCC Rcd at 17487, para. 126.

494 *Id.* We note that the D. C. Circuit confirmed that Congress specifically declined to adopt a market share or other similar test for BOC entry into long distance. *Sprint v. FCC*, 274 F.3d at 559.

495 BayRing argues that Verizon's practices in New Hampshire have created barriers to competitive entry in the state by delaying interconnection agreements, forcing purchase of resale services rather than less expensive UNEs, failing to pay the appropriate reciprocal compensation rates mandated by the parties' interconnection agreement, restricting access to enhanced extended links (EELs), delaying providing dark fiber, and inadequately provisioning UNEs. BayRing argues that these anticompetitive actions by Verizon undercut a finding that Verizon's entry into long distance in Delaware and New Hampshire is in the public interest. BayRing Comments at 70-89. *See* Letter from Eric J. Branfman, Counsel to BayRing, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-157 (filed June 27, 2002) (BayRing DE-NH Aug. 20 OSS *Ex Parte* Letter). *See* Sections III and IV, *supra*. BayRing also asserts that a dispute with Verizon over reciprocal compensation, which was resolved prior to the filing of this application, is evidence of a public interest violation. BayRing Comments at 76-80. As we have stated in prior section 271 orders, "section 271 does not compel us to preempt the orderly disposition of intercarrier disputes by the state commissions." *Verizon New Jersey Order*, para. 159 (citing *Verizon Pennsylvania Order*, 16 FCC Rcd at 17484, para. 118). Clearly, here, the matter was resolved and is not relevant to our consideration of the public interest in this application

496 *See* Section III.C., *supra*.

BayRing does not show that any current problems exist that would support a finding that it is not in the public interest to grant section 271 approval to Verizon in New Hampshire.

A. Price Squeeze Analysis

142. Commenters allege the existence of a price squeeze in New Hampshire and Delaware that compels a finding that grant of this application is not in the public interest. We first address BayRing's allegation of a price squeeze in New Hampshire and then address AT&T's allegation of a price squeeze in Delaware.

1. New Hampshire

143. BayRing contends that Verizon's New Hampshire UNE rates do not provide for a sufficient profit for an efficient competitor to serve residential customers and that this has doomed competitors to failure in the residential market.[498] In support of its contention, BayRing presents the price squeeze analysis it submitted in the state section 271 proceeding and an updated price squeeze analysis.[499] BayRing contends that, because the margins available to new entrants preclude profitable entry into the residential market, Verizon's application should be denied on public interest grounds.[500] We conclude that BayRing has not established the existence of a public interest violation because BayRing has failed to demonstrate that a price squeeze exists in New Hampshire.

144. In our review of a section 271 application, the public interest requirement is an opportunity to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will therefore serve the public interest as Congress expected.[501] Congress did, however, explicitly prohibit the Commission from enlarging the scope of the competitive checklist.[502] Accordingly, consistent with our statutory obligation, we will consider the existence and scope of an alleged price squeeze along with all other relevant public interest factors.

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497 *See* BayRing Comments at 70-89; Verizon Reply at 39, n. 32.

498 BayRing Comments at 55; *see also* BayRing Declaration of Benjamin Thayer (BayRing Thayer Decl.) at 5, para. 14.

499 *id.* at 55-62; BayRing Thayer Decl. at 6-8, paras. 18-21 and Attach. 2 (presenting an updated price squeeze analysis). BayRing also contends that the lack of competitive entry bears out the fact that a price squeeze exists in New Hampshire and that the price squeeze analysis presented by Verizon in its application is flawed. BayRing Comments at 62-69. As further evidence of a price squeeze, BayRing argues that the New Hampshire Commission determined that there is a price squeeze in New Hampshire. *Id.* at 69-70.

500 *Id.* at 70.

501 *See Bell Atlantic New York Order,* 15 FCC Rcd at 4161-62, paras. 423-24.

502 47 U.S.C. § 271(d)(4).

a. Revenue and Cost Assumptions

145. The factual information necessary to conduct a price squeeze analysis is highly complex. Courts have recognized the particular difficulty of conducting a price squeeze inquiry in a regulated industry.[503] BayRing and Verizon's analyses provide immediate examples of this difficulty. Each price squeeze analysis before us has distinct deficiencies. The key elements -- costs, revenues, and necessary margins -- depend on numerous different variables and assumptions, and thus result in different conclusions concerning the existence of a price squeeze.[504] For the reasons presented below, we find that we cannot rely on the price squeeze analyses presented by BayRing in this proceeding because they fail to include certain revenue information that the Commission has determined is relevant to a residential price squeeze analysis. Thus, while we do not endorse Verizon's analysis, we nevertheless determine that a price squeeze has not been demonstrated in this proceeding.

146. As an initial matter, we question the probative value in this proceeding of the initial price squeeze analysis presented to the New Hampshire Commission in the state section 271 proceeding as this analysis was done prior to the adoption of voluntary rate reductions by Verizon. BayRing claims that Verizon's subsequent reductions to loop rates and to switching rates do not impact its overall findings that there is no prospect for profit in the residential market.[505] BayRing does not, however, present any specific support for this conclusion and admits that the average monthly switching costs presented by Verizon in its price squeeze analysis are lower than the figures used in BayRing's initial price squeeze analysis before the New Hampshire Commission.[506] Further, BayRing does not address whether or how the reductions to transport rates affect its initial price squeeze analysis. For these reasons, we cannot find that a price squeeze currently exists in New Hampshire based on the initial price squeeze analysis submitted in the state section 271 proceeding.[507]

147. Next, we consider the updated price squeeze analysis presented by BayRing in this proceeding and determine that we cannot rely on this analysis because it fails to include all relevant revenue information.[508] BayRing states that the residential revenue figures used in the

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503 *Concord Massachusetts v. Boston Edison Co.*, 915 F.2d 17 (1st Cir. 1990).

504 *Compare* Verizon Hickey/Garzillo/Anglin Decl. at 23, para. 66 *with* BayRing Thayer Decl. at 6-7, paras. 18-20 and Confidential Attach. 2. *See also* BayRing Comments at 65-69 (discussing the differences between the two analyses).

505 BayRing Comments at 69-70.

506 *Id.* at 70.

507 Even if we agree with BayRing that the initial price squeeze analysis can be considered for purposes of determining whether a price squeeze currently exists in New Hampshire, the analysis suffers from the same deficiencies as the updated analysis presented in this proceeding, as discussed below.

508 In addition, BayRing fails to provide cost data or other evidence to support its internal cost estimates. Without this data, we cannot determine whether the costs included in the analysis are those of an efficient carrier as required (continued....)

updated analysis are derived from the initial price squeeze analysis submitted in the state section 271 proceeding.[509] According to BayRing, that analysis did not consider access revenue or toll revenue in calculating the competing LEC revenue.[510] BayRing failed to include access revenues because it asserted that such revenues are steadily decreasing and competing LEC access revenues may represent a "washout," that is, competitive LEC access revenues for incoming calls would be "washed out" by competitive LEC payment of access charges it pays to complete toll calls for its customers.[511] BayRing also excluded toll revenues in its analysis because it concluded that such revenue is "speculative" and because a competitive LEC incurs costs to provide toll service.[512]

148. Even assuming that BayRing provides adequate justification for excluding some of these revenues, the analysis provided by BayRing fails to include *any* of these revenues. The Commission has determined that such revenues are relevant to a price squeeze analysis and that a price squeeze analysis would be fatally deficient without some evidence of the impact of this revenue on whether competitors are "doomed to failure."[513] Moreover, there is no "washout" of access revenues for incoming calls and access charges for outgoing calls because BayRing would collect toll revenues for the outgoing calls (which it excludes from the analysis) to cover the access charges. As for BayRing's contention that costs are incurred to provide toll service, BayRing provides no specific cost information to demonstrate that its toll costs exceed its toll revenues. Further, BayRing's estimate of Verizon's available residential customer revenues fails to account for the recent increase in the Subscriber Line Charge (SLC).[514] Because BayRing fails to provide an adequate reason to exclude these revenues from its analysis, we must conclude that BayRing's price squeeze analysis is deficient in that it omits relevant evidence.

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by our previous order. *See Verizon Vermont Order*, 17 FCC Rcd at 7664, para. 70 (stating that the pertinent question is what is a sufficient profit for an efficient competitor); *see also* Verizon Reply at 43-44.

509 BayRing Comments at 61.

510 *Id.* at 57; Verizon Reply at 43.

511 *Id.* at 57-58.

512 *Id.* at 58.

513 In our *Vermont Order*, we determined that both access and toll revenues are relevant to a residential price squeeze analysis. *Verizon Vermont Order*, 17 FCC Rcd at 7664, para. 71. In that proceeding, we found that the commenters had not demonstrated that a price squeeze existed because they had failed to, among other things, provide such relevant evidence. *Id.*

514 On July 1, 2002, the SLC cap for residential and single-line business lines increased to $6.00. *See Cost Review Proceeding for Residential and Single-Line Business Subscriber Line Charge (SLC) Caps, Access Charge Reform and Price Cap Performance Review for Local Exchange Carriers*, CC Docket Nos. 96-262 and 94-1, Order, 17 FCC Rcd 10,868, 10,881, para. 30. BayRing's updated analysis fails to account for this increase. *See* BayRing Thayer Decl. at Confidential Attach. 2.

149. BayRing's price squeeze analysis is further compromised by the inclusion of an assumption that Verizon's available revenues should be discounted by 10 percent for comparative purposes. BayRing states that the revenue figure used in its analysis includes a 10 percent discount because competitive LECs must charge less than Verizon to win a customer.[515] We find this assumption inappropriate for inclusion in a price squeeze analysis. Moreover, even if it were appropriate, BayRing fails to provide any cost or other data to support this assertion. For these reasons, we find that BayRing has failed to provide an analysis that demonstrates the existence of a price squeeze in New Hampshire.[516]

b. Other Evidence of a Price Squeeze

150. In addition to its quantitative price squeeze analyses, BayRing argues that the lack of competitive entry bears out the fact that there is a price squeeze in New Hampshire.[517] BayRing claims that Verizon's statistics as to the number of competitive residential lines is "sobering and corroborates the price squeeze analysis . . . ."[518] We disagree that the low levels of facilities-based residential competition in New Hampshire provide evidence of a price squeeze. As we stated in prior section 271 orders, factors beyond the control of the BOC, such as individual competitive LEC entry strategies, might explain a low residential customer base.[519] It is precisely this reason why a BOC does not need to demonstrate a specific level of competitive market penetration before making an application under section 271. Given an affirmative showing that the competitive checklist has been satisfied and that markets are therefore open, low customer volumes or the failure of any number of companies to enter the market in and of themselves do not undermine that showing.[520]

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[515] BayRing Comments at 61.

[516] Adjusting for the deficiencies in BayRing's analysis, there appears to be a positive margin in Zone 1 and parts of Zone 2. We also note that BayRing's public interest analysis fails to take into account how evidence that there is facilities-based competition available to a majority of the state's population factors into a determination of whether the public interest requirement is not met because competitors are doomed to failure. *See* Letter from Richard T. Ellis, Director, Federal Affairs, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-157 at 2 (filed Aug. 16, 2002) (explaining where in the record Verizon has responded to commenters' public interest claims). According to Verizon, AT&T serves, via its cable facilities, 64 percent of the population in New Hampshire. *Id.*

[517] *See* BayRing Comments at 62-65.

[518] *Id.* at 63.

[519] *Verizon Maine Order,* 17 FCC Rcd at 11697-98, at para. 59; *Verizon Pennsylvania Order,* 16 FCC Rcd at 17487, para. 126. *See also* Verizon Aug. 16 *Ex Parte* Letter at 1.

[520] *Verizon Maine Order,* 17 FCC Rcd at 11697-98, para. 59; *Verizon Pennsylvania Order,* 16 FCC Rcd at 17487, para. 126; *see Ameritech Michigan Order,* 12 FCC Rcd at 20585, para. 77. As further evidence of a price squeeze in New Hampshire, BayRing cites to the New Hampshire Commission March 1 Letter, wherein the New Hampshire Commission stated that its proposed conditions would "reduce, if not eliminate, the wholesale/retail 'price squeeze.'" BayRing Comments at 69 (quoting the *New Hampshire Commission March 1 Letter* at 4). Because the (continued....)

151. BayRing also alleges several flaws in the UNE-P price squeeze analysis contained in Verizon's application.[521] In addition to these flaws, BayRing asserts that Verizon's analysis includes access revenues in the retail portion of the analysis but did not include these costs in the UNE-P column and has, therefore, double-counted the access revenues.[522] Finally, BayRing disputes Verizon's assumptions concerning the level of access and toll revenues used in the analysis and the inclusion of "other" revenues without accounting for the corresponding expenses.[523] Because we do not rely on the price squeeze analysis contained in Verizon's application, we need not address the merits of these arguments.[524]

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New Hampshire Commission failed to implement the original conditions contained in the March 1 letter, BayRing maintains that a price squeeze remains in New Hampshire. We reject this argument. As a threshold matter, we find that the incidental comment by the New Hampshire Commission cited by BayRing is hardly the kind of detailed analysis necessary to establish a price squeeze. BayRing's appropriation of this statement does not make it any more persuasive of whether a price squeeze actually occurred, or otherwise mandate any particular outcome of our own, independent analysis in this regard. Moreover, although the conditions referenced in the original letter were later modified, the New Hampshire Commission agreed to a new set of conditions, which included specific rate reductions to loop rates, switching and transport rates, and DUF rates. *New Hampshire Commission June 14 Letter* at 3. While BayRing acknowledges that Verizon's UNE rates have decreased since the New Hampshire Commission's initial finding, it still maintains that these reductions "do very little to eliminate the price squeeze." BayRing Comments at 70. BayRing's argument again assumes that a price squeeze was clearly and reliably identified. Even if this was the case, as we have explained above, BayRing's case-in-chief regarding a price squeeze fails and its gainsaying of comments by the New Hampshire Commission is insufficient for us to modify our independent analysis in this respect.

[521] *See* BayRing Comments at 65-69. In particular, BayRing states that Verizon's analysis provides no relevant information concerning the margin available from the average residential customer because it is based upon the weighted average of the revenues Verizon derives from both business and residential customers. *Id.* at 65. BayRing states that Verizon did provide revenue data for an "illustrative residential customer" to the New Hampshire Commission in the state section 271 proceeding and uses this information to argue that the monthly costs of a residential UNE-P customer "far exceed" the revenue Verizon stated it obtains from this customer. *Id.* at 66. BayRing further contends that the Residential Local Service Package used in the analysis represents only a portion of Verizon's residential customers and that these customers generate more revenue per month than the average flat rate, unlimited service customer. *Id.* at 67. The Residential Local Service Package is a combination of flat, unlimited local calling, three features, and unlimited directory assistance. *Id.* BayRing argues that, in order to offer a service comparable to Verizon's Residential Local Service Package, it would need to incur additional costs, such as costs for providing unlimited directory assistance. *Id.* at 67-68.

[522] *Id.* at 68.

[523] *Id.* at 69-69.

[524] Verizon included this information in its application in anticipation of claims by competitive LECs that they are unable to earn of profit in New Hampshire under the current UNE rates. Verizon Hickey/Garzillo/Anglin NH Decl. 23, para. 65.

2. Delaware

152. AT&T and WorldCom allege that a price squeeze in the residential market in Delaware establishes a public interest violation.[525] For many of the same reasons provided in our New Hampshire price squeeze analysis, we find that AT&T and WorldCom have failed to demonstrate a price squeeze in Delaware that dooms competitors to failure.[526]

153. First, we note that the Delaware Commission considered AT&T's price squeeze arguments in determining whether to recommend approval of Verizon's section 271 application, and squarely rejected them. The Delaware Commission stated that, ". . . Verizon-DE's UNE prices do not squeeze competitors by overcompensating Verizon-DE. Moreover, the evidence that [competitive] LECs have indeed entered the Delaware market shows that segments of the Delaware market are indeed open to economic entry through the acquisition of UNEs."[527] AT&T and WorldCom present no new evidence here that would cause us to reach a different conclusion.

a. Revenue and Cost Assumptions

154. As stated in our New Hampshire price squeeze discussion, the key elements of a price squeeze analysis – input costs, revenues, and internal costs – depend on numerous variables. The parties here contest the validity of the variables used in each others' analyses, as well as the analyses themselves, and we find flaws in all of them. Therefore, we conclude that we cannot rely on the price squeeze analyses provided by AT&T and WorldCom, and that neither AT&T nor WorldCom has demonstrated a price squeeze in Delaware that dooms competitors to failure.[528]

155. First, WorldCom's analysis is flawed in that it reflects only one mode of entry, the UNE-Platform.[529] We have rejected the AT&T and WorldCom contention that resale is not a viable competitive option because of insufficient margins, and found that it is appropriate to

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[525] AT&T Comments at 46, 50-51; AT&T Lieberman Decl. at 19-20, paras. 44-46; AT&T Reply at 16-17; AT&T Supplemental Comments at 3-5; AT&T Supplemental Leiberman Decl. at 1-2, para. 1, 8-10, paras. 15-21; WorldCom Comments at 3-4 and Attach. 1.

[526] Consistent with our *Verizon Vermont Order*, 17 FCC Rcd at 7662-63, para. 67, and our *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9179, para. 285, we also reject AT&T's legal interpretation of the effect of *FPC v. Conway*, 426 U.S. 271 (1976), on our price squeeze analysis. AT&T Comments at 48-50.

[527] Delaware Commission Comments at 12.

[528] We do not address AT&T's criticisms of Verizon's price squeeze analysis, AT&T Lieberman Decl. at 20-23, paras. 47-53, because we do not rely on them in reaching our conclusion.

[529] WorldCom Comments at 3-4 and Attach. 1.

consider the effect of resale in determining whether a price squeeze exists.[530] We have also stated that consideration of resale is appropriate because a low margin may be the result of subsidized local residential rates.[531] Without considering resale, WorldCom's analysis is not complete. Second, WorldCom has failed to include in its revenue calculation additional revenue that we have stated must be included in a valid price squeeze analysis. Specifically, WorldCom does not include incremental intraLATA and interLATA toll revenues that would be generated by new customers, access revenues, or any analysis of its "ability . . . to leverage [its] presence in the long-distance or business markets . . . into an economically viable residential telephone service business."[532] For these reasons, we agree with Verizon's assessment that WorldCom has ignored the requirements for a complete price squeeze analysis outlined in our previous orders.[533] We note, however, that even WorldCom's flawed analysis shows positive margins of $4.48 in density zone one and $1.42 in density zone two. According to Verizon, these two zones contain 85 percent of the access lines in Delaware, while according to AT&T, they contain 77 percent of Delaware access lines.[534]

156. AT&T has submitted a more detailed analysis which it assures us satisfies all the requirements of a complete price squeeze analysis established in our *Verizon Vermont Order*.[535] AT&T's analysis includes intraLATA and interLATA toll revenues and access revenues, and provides margin estimates that account for the availability of resale.[536] AT&T's analysis, however, fails to include potential revenue from services other than traditional voice services, even though UNEs provide competitive LECs the ability to offer additional services. AT&T has indicated in another proceeding that it is providing residential DSL service using the UNE-Platform, and we envision that AT&T may well begin providing such service in Delaware if it is not already doing so.[537] AT&T's failure to include such revenues is one reason the Delaware

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[530] *Verizon Vermont Order*, 17 FCC Rcd at 7664, para. 69; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9180, para. 287.

[531] *Verizon Vermont Order*, 17 FCC Rcd at 7663-64, paras. 68-69; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9180, para. 287; *BellSouth Multistate Order* at para. 290.

[532] *Verizon Vermont Order*, 17 FCC Rcd at 7664, para 71. *See also BellSouth MultiState Order* at para. 288.

[533] Verizon Reply at 42-43.

[534] Verizon Reply at 44; AT&T Lieberman Decl. at Exh. A.

[535] AT&T Comments at 50; AT&T Lieberman Decl. at 11, para. 23.

[536] AT&T Lieberman Decl. at Exh. B (confidential) and Exh. A (redacted). AT&T states that its analysis does not include an allowance for a subscriber line charge because universal service support is not available in Delaware. AT&T Lieberman Decl. at 18, para. 37.

[537] Verizon Reply at 45, citing Comments of AT&T Corp., CC Docket Nos. 01-338, 96-98, and 98-147, at iv (filed April 5, 2002) ("AT&T is now offering residential customers . . . a combined package of voice and DSL-based services using UNE-P.")

Commission rejected its price squeeze claims. As the Delaware Hearing Examiner who first evaluated these claims stated:

> Here, the record does not support a finding that Delaware's UNE rates create a price squeeze. AT&T's evidence and analysis of profit margins fail to consider a number of revenue sources that could be derived from the acquisition of network elements leased from Verizon-DE. Whether those revenues may be for services other than regulated telecommunications services is irrelevant. All revenues that accrue from the use of facilities, whether regulated or not and whether competitive or not, must be considered in a proper analysis of the ability to recover the costs of those facilities. Moreover, it is inherently flawed to analyze only particular market segments, especially where the prices chargeable in those segments are fixed in whole or in substantial part by regulatory action.

The Delaware Commission reached the same conclusion.[538] For these same reasons, we find AT&T's price squeeze analysis flawed.

157. Both AT&T and WorldCom assert that, to enter the local market in Delaware, they must achieve margins greater that their internal costs, which are more than $10 per-line, per-month.[539] As we have stated in previous section 271 orders, we are not concerned with a "sufficient" profit margin for AT&T or WorldCom, but a sufficient profit for an efficient competitor.[540] Therefore, we are not convinced by AT&T and WorldCom claims that their potential margins must exceed their internal costs of more than $10.00 per line, per month for them to enter the Delaware local market. The Delaware Commission also was not convinced that an efficient competitor's reasonable internal costs would be so high when it set a 20 percent resale discount.[541] Our experience from previous section 271 proceedings shows that competitive LECs may be able to enter the local telephone market even where they allege that the available margins are less than $10. For example, WorldCom is offering its "Neighborhood" local service package in Oklahoma, Kansas, Massachusetts, Missouri, Arkansas, Georgia, Louisiana, Alabama, Kentucky, Mississippi, North Carolina, and South Carolina, all states where

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538 Delaware Commission Comments at 12.

539 AT&T Comments at 57; AT&T Lieberman Decl. at 20, para. 45; WorldCom Comments at 4. AT&T provides an exact figure for its Delaware per-line, per-month internal costs only in the confidential version of its comments. *See* AT&T Comments, Tab B, Declaration of Steven Bickley on Behalf of AT&T Corp. at paras. 1-2 (confidential) (AT&T Bickley Decl.).

540 *Verizon Vermont Order*, 17 FCC Rcd at 7664, para. 70; *Verizon New Jersey Order*, 17 FCC Rcd at 12360-61, para. 172.

541 Verizon Martin/Garzillo/Sanford Reply Decl. at 41-42, para. 84. The 20 percent resale discount applies to lines not using Verizon Operator Services or Directory Assistance. *Id.*

commenters alleged a price squeeze that would preclude entry into the local market.[542] Furthermore, WorldCom's own data, filed in a previous 271 proceeding, show that it has decided to enter markets where it will achieve a "minimally acceptable" UNE-Platform margin that is substantially lower than $10, and falls between $5 and $7.[543] These entry decisions cast further doubt on the AT&T and WorldCom estimates of their own internal costs, and their analyses of the potential margins that are available in Delaware.[544]

b. Delaware Margin Analysis

158. Even with these flaws, AT&T's analysis shows positive margins for 100 percent of Delaware access lines. While resale does not change AT&T's reported margin for density zone one, which, according to AT&T, contains 56 percent of Delaware access lines, and, according to Verizon, contains 59 percent of Delaware access lines, it dramatically increases AT&T's potential margins in density zones two and three, resulting in positive margins in all three density zones.[545] When AT&T also accounts for intraLATA and interLATA toll revenue, which it reports only in the confidential version of its analysis, AT&T's potential margins increase by a similarly significant amount.[546] AT&T's analysis showing the effect of Verizon's 31 percent switching rate reduction on August 30, 2002, which is also confidential, demonstrates an even greater improvement in its margin in density zone one, containing nearly 60 percent of the access lines in the state.[547] The rate reduction produces a state-wide average margin significantly higher than the state-wide average margins that we found failed to doom competitors to failure in the Vermont, Georgia/Louisiana, New Jersey, Alabama, Kentucky, Mississippi, North Carolina, and South Carolina section 271 proceedings.[548] Verizon's reduced

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[542] *See* WorldCom <http://www.theneighborhood.com/res_local_service/jsps/default.jsp> last visited Sept. 24, 2002).

[543] *See Application of Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) And Verizon Global Networks Inc., For Authorization to Provide In-Region InterLATA Services in Massachusetts,* Letter from Keith L. Seat, Senior Counsel, Federal Law and Public Policy, WorldCom to Magalie Roman Salas, Secretary, Federal Communications Commission, CC Docket No. 00-176 at 2-4 (filed Nov. 30, 2000).

[544] We also doubt AT&T's claim that, "The costs and administrative difficulties of UNE-loop entry make it economically infeasible for new entrants pursuing typical residential customers." AT&T Supplemental Comments at 5. Cavalier is serving the local market in Delaware exclusively through use of the UNE-loop. Cavalier Comments at 1.

[545] AT&T Lieberman Decl. at Exh. A.

[546] AT&T Lieberman Decl. at Exh. B (confidential).

[547] AT&T Lieberman Supplemental Decl. at Exh. A (confidential).

[548] AT&T Lieberman Supplemental Decl. at Exh. A (confidential). *See also Verizon New Jersey Order,* 17 FCC Rcd at 12360-61, para. 172; *BellSouth Georgia/Louisiana Order,* 17 FCC Rcd at 9179-80, para. 286; *BellSouth Multistate Order* at paras. 283, 286.

switching rates also provide AT&T a margin in the most favorable zone that approaches the projected margin in the most favorable New Jersey zone.[549] If AT&T's analysis were further corrected for its failure to include revenues from services other than traditional voice services, AT&T's margins would be even greater.

159. We also reject AT&T's most recent claim that, even with Verizon's reduced switching rates, Verizon's NRCs contribute to a price squeeze in Delaware.[550] AT&T's comparison of Delaware and New York amortized NRCs, which AT&T uses to claim that Delaware NRCs are 540 percent higher than New York NRCs, is not a direct comparison.[551] AT&T's Delaware charge for a "new installation" includes dispatch of a Verizon technician to physically connect cable in the field, while AT&T's New York "new installation" charge includes only central office service order processing without the far more costly field dispatch of a technician. If field dispatch charges are included in the New York new installation charge, it increases from the $10.76 in AT&T's comparison to $124.73. Further, while AT&T's analysis assumes that field dispatches will occur in 100 percent of Delaware new installations, Verizon submitted evidence indicating that such field dispatches actually occur for only 50 to 60 percent of new installations in Delaware.[552] Thus we conclude that Verizon's Delaware NRCs do not contribute to a price squeeze in Delaware. We further conclude that AT&T and WorldCom can achieve significant, positive margins for the vast majority of Delaware access lines, and likely could achieve positive margins throughout the state. Such margins do not demonstrate a price squeeze that dooms competitors to failure.[553]

160. The state of competition in Delaware further refutes AT&T and WorldCom price squeeze claims. According to the Delaware Commission and the Department of Justice, competitive LECs serve 6.7 percent of the total local exchange market in Delaware, or roughly 49,000 out of 636,000 lines.[554] AT&T, Cavalier, CoreCom, Pae Tel and XO Communications provide facilities-based local service in Delaware in addition to 15 resellers.[555] According to the

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549 AT&T Lieberman Supplemental Decl. at Exh. A (confidential). *See also Verizon New Jersey Order*, 17 FCC Rcd at 12360-61, para. 172.

550 AT&T Supplemental Comments at 4; AT&T Lieberman Supplemental Decl. at 10, para. 20.

551 AT&T Supplemental Comments at 4; AT&T Lieberman Supplemental Decl. at Exh. B.

552 Letter from Richard T. Ellis, Director, Federal Affairs, Verizon to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-157 (filed Sept. 11, 2002).

553 *Verizon Vermont Order*, 17 FCC Rcd at 7763-64; paras. 68-69, *Verizon New Jersey Order*, 17 FCC Rcd at 12360-61, paras. 171-72.

554 Delaware Commission Comments at 5; Department of Justice Evaluation at 5.

555 Department of Justice Evaluation at 6. AT&T's own data demonstrate that, contrary to its assertions, AT&T Comments at 44, competitive LECs in Delaware, particularly Cavalier and AT&T itself, are financially viable. *See* AT&T Comments at Attach. 1.

Department of Justice, competitive LECs serve approximately 1.9 percent of all residential lines in Delaware using their own facilities, and approximately 1.2 percent of all residential lines through resale or the UNE-Platform.[556] As we discuss, our own analysis of competition in Delaware shows that the total number of lines in Delaware served by competitive LECs is proportionately greater than the number of lines served by competitive LECs in New York, and greater than the number of lines served by competitive LECs in Vermont and New Jersey at the time we approved Verizon's section 271 applications for those states.

161. Finally, in weighing any price squeeze allegation, we must consider whether lower amounts of residential competition are the result of a state commission policy to keep residential rates affordable in high cost areas.[557] Specifically, it is possible that a lack of profitability in entering the residential market may be the result of subsidized local residential rates in one or more zones, and not the fact that UNE rates are at an inappropriate point in the TELRIC range.[558] In Delaware, for example, the clear cost difference between density zone one, where AT&T reports its greatest margin, and density zone three, where it reports the most negative margin without considering resale, is the difference in the rates Verizon charges for the loop.[559] It may be that until states rebalance residential rates, or make high cost subsidies explicit and portable, the UNE-Platform may not provide a viable means of entry for certain areas in some states. That fact, however, needs to be weighed against competing public policy interests, such as ensuring availability and affordability of local telephone services in rural areas and the benefit to consumers from the BOC's entry into the interLATA market. Given the complex and competing public policy interests at stake, we do not think that we can conclude that the existence of subsidies in rural areas in itself is a circumstance that requires a finding that section 271 authorization would not be in the public interest.

162. Based on these facts, we conclude that AT&T and WorldCom fail to demonstrate a price squeeze that dooms competitors in Delaware to failure, or that granting Verizon's Delaware application would not be in the public interest.

B. Premature Marketing

163. Finally, we note that during the pendency of its New Jersey application, Verizon voluntarily disclosed that it sent direct mail and bill insert advertising to New Jersey

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556 Department of Justice Evaluation at 6.

557 *Verizon Vermont Order* 17 FCC Rcd at 7663-64, paras. 68-69; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9179-80, para. 286; *BellSouth Multistate Order* at para. 290.

558 *Verizon Vermont Order* 17 FCC Rcd at 7663-64, paras. 68-69; *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9179-80, para. 286; *BellSouth Multistate Order* at para. 290.

559 AT&T Lieberman Decl. at Exh. B (confidential).

customers.[560] While reviewing its long distance marketing programs in connection with the New Jersey incidents, the company discovered that Verizon representatives had prematurely marketed services in New Hampshire and Delaware by mailing "winback letters" to certain customers.[561] Verizon also discovered that certain calling card calls were incorrectly branded as Verizon calls and that service representatives incorrectly solicited and accepted customer orders for long distance service.

a. Winback Letters

164. Verizon recently reported that it mailed "winback" letters to 1,500 customers in New Hampshire and 950 customers in Delaware, mentioning long distance but omitting the standard Verizon disclaimer that long distance service is not yet available in those states.[562] According to Verizon, none of the customers that received the letters in New Hampshire and Delaware received long distance service as a result of the letters. Verizon claims that it has "implemented additional controls that are designed to prevent mistakes, as well as to detect and correct any that do occur . . . and are intended to ensure that long distance offers are not sent to customers in non-section 271 authorized states and that multistate/multiproduct mailings that include mention of long distance contain appropriate disclaimers."[563]

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[560] *See Verizon New Jersey Order*, 17 FCC Rcd 12275, 12367-68, at paras. 188-190. *See also* Letter from Marie T. Breslin, Director, Federal Regulatory, Verizon, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-157 (filed Aug. 12, 2002) (Verizon Aug. 12 Marketing *Ex Parte* Letter).

[561] Verizon Aug. 12 Marketing *Ex Parte* Letter at 1.

[562] *See* Verizon Aug. 12 Marketing *Ex Parte* Letter. *See also* Letter from Richard T. Ellis, Director, Federal Regulatory, Verizon, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-157, (filed Sept. 18, 2002) (Verizon Sept. 18 Marketing *Ex Parte* Letter). Verizon claims the letters were part of a multi-jurisdictional marketing effort that targeted small business customers in several Verizon states, including New Hampshire and Delaware. Verizon claims the principal focus of the mailings was to market Verizon's local services, even though the letters mentioned Verizon long distance, as well as voice and data products.

[563] Verizon describes four remedial measures it has put into place to prevent premature direct mail marketing of long distance in the future: (1) to prevent direct mail marketing of long distance service before Verizon receives section 271 authority, Verizon claims it will no longer print or distribute direct mail referring to long distance service for any state until *after* it receives section 271 authority; (2) according to Verizon, the company has hired separate vendors to handle mail for section 271 approved states, and for states where Verizon does not have section 271 approval; (3) Verizon claims that a Verizon official "at the director level of management" must now formally check and approve all direct mail long distance advertising for accurate long distance service availability information; and (4) Verizon claims it has implemented a "three point check on all addresses used in long distance campaigns." This three point checklist includes: (i) Verizon and its suppliers have removed addressees from unauthorized states from the direct mail address lists; (ii) Verizon and its suppliers now verify that the number of mail pieces actually deposited for delivery matches the intended number of mailings; and (iii) direct mail now is sent only to persons whose billing and service addresses are verified as being in the same section 271 authorized state. Verizon Sept. 18 Marketing *Ex Parte* Letter at 2.

b. Calling Card Calls

165. Verizon also reported that as part of its overall review of its marketing programs, it discovered that in June 2000, approximately 2,500 calling card calls, originating in various non-section 271 authorized states, have been misbranded as Verizon calls. Verizon claims that approximately 150 of these calling card calls originated in Delaware and approximately 100 of them originated in New Hampshire. Verizon claims it did not bill customers for any of these calls.[564]

c. Telemarketing Sales

166. Verizon also reported that, while reviewing its long distance marketing programs in connection with the New Jersey incidents, the company discovered that its representatives accepted orders from customers in New Hampshire and Delaware.[565] In New Hampshire, between February and June 2002, Verizon sales representatives accepted approximately 45 sales orders. Verizon claims that most of these instances occurred while conducting operational readiness tests on the Verizon systems to assess the operations of the long distance network and billing systems in the state.[566] According to Verizon, the company loaded its Carrier Identification Codes into the sales ordering system and Verizon local exchange carrier switches to permit test calls to be made from various Verizon locations. Verizon also claims that despite instructions not to accept long distance orders during the test period in non-section 271 approved states, some telemarketing sales representatives mistakenly changed customers' PICs to Verizon Long Distance and submitted the orders. Verizon claims that although the customers' PICs were temporarily changed to Verizon in the local switch, no interLATA service was provided because Verizon's long distance network will permit only test calls that originate from specifically identified test telephone numbers to travel on the network.[567] However Verizon notes that in

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[564] According to Verizon, the calling card calls were mistakenly branded by WorldCom. As Verizon explains, in states where it does not have section 271 approval, calling card service is provided through a teaming arrangement with an unaffiliated carrier known as USAN. Calls originating from non-section 271 approved Verizon states are branded as USAN calls and carried by WorldCom on behalf of USAN, under separate arrangements between those companies. However, Verizon claims that "a limited number of long distance calling card calls were routed to the Verizon portion of the platform and were incorrectly branded as 'Verizon' instead of 'USAN.'" Verizon also states that, although WorldCom billed Verizon for these calls, Verizon did not charge the customers for calls that originated from non-section 271 authorized states. Verizon also states that it "has implemented additional controls relating to long distance calling card calls" to prevent such future occurrences. Specifically, Verizon claims it now blocks any long distance calling card calls that originate in non-section 271 authorized states that should not, but do, reach the Verizon portion of the platform so that the call cannot complete over the WorldCom facilities that Verizon resells.

[565] Verizon Sept. 18 Marketing *Ex Parte* Letter at 3.

[566] *Id.*

[567] Verizon states that none of these customers were provided service because the mistaken orders were detected and corrected by Verizon's provisioning controls. During the test period, Verizon ran a daily scan of its order (continued....)

June 2002, it implemented additional edits to its consumer order entry system to detect non-test orders in non-section 271 authorized states. Moreover, by the end of September 2002, the company will implement an additional edit that will prevent any representative who is not specifically participating in Operational Readiness Testing from inputting orders during testing periods.[568]

167. Verizon further states that service representatives accepted orders on a few other occasions in New Hampshire and Delaware.[569] Verizon claims that "none of these orders were "provisioned," and that the company has "significant controls" in place to minimize these incidents, which it characterizes as "human errors."[570] Verizon states that LEC sales representatives (who sell long distance services to customers who call the Verizon service center) were instructed on long distance launch dates and regularly monitored to make certain that they offered only those products permitted in a particular state. Verizon also claims that third-party telemarketers received "significant oversight."[571] Verizon further states that it has reissued service alerts and improved training to internal sales representatives reemphasizing that Verizon is authorized to provide long distance only in certain states. Moreover, in June 2002, Verizon "temporarily stopped all outbound telemarketing by vendors in the former Bell Atlantic states until Verizon could complete a review of each of its telemarketing vendors to ensure that their practices were consistent with Verizon policies."[572] Vendors were not authorized to resume telemarketing calls until they successfully completed this review process.

d. Discussion

168. As we noted in the *Verizon New Jersey Order*, potential violations of federal telecommunications law could be relevant to the section 271 inquiry.[573] In that order, we

(Continued from previous page)

processing system to detect any non-test orders that might be incorrectly submitted. Any non-test order was cancelled, the customer was notified, and his or her PIC was restored to the original carrier. *Id.* at 4.

[568] *Id.* at 4. Between January 1, 2001 and June 30, 2002, sales representatives accepted approximately four orders for toll-free numbers that terminated in Delaware and approximately thirteen orders for toll-free numbers that terminated in New Hampshire. From February to July 2002, sales representatives accepted approximately 5 orders from business customers. In May and June 2002, Verizon sales representatives accepted orders from six customers for long distance service in Delaware. Verizon states that it has taken steps to modify its service order processor to reject any order for a telephone number that corresponds to a non-section 271 authorized state, including Delaware. A sales representative quoted a price to a customer who called inquiring about long distance service in Delaware. Verizon claims that the sales representative's supervisor identified the error on the same day, notified the sales representative immediately, and informed the customer of the error.

[569] *Id.* at 4-5.

[570] *Id.* at 4.

[571] *Id.* at 5.

[572] *Id.*

[573] *See Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 190.

examined evidence of premature marketing to more than a half-million customers, resulting from conduct that occurred at approximately the same time as the conduct disclosed in this proceeding. Moreover, in the *Verizon New Jersey Order*, and under the circumstances of that case, we concluded that we would not deny or delay the application under the public interest standard.[574] Similarly, we take no position in this proceeding on whether Verizon's actions violate section 272(g)(2) of the Act.[575] Instead, we defer any enforcement action pending the outcome of the Enforcement Bureau's investigation of this matter. Regardless of what enforcement action we may take in the future, we remind Verizon and all BOCs that they should not market long distance service in an in-region state prior to receiving section 271 approval from the Commission for that particular state. Further, because this problem appears to have arisen with disturbing frequency in recent months,[576] we find it necessary to emphasize, once again, that carriers must exercise extreme caution. We have not yet found that premature marketing would warrant rejection of an application under the public interest standard, under the circumstances of specific cases so far, but could and may do so.

C. Assurance of Future Compliance

169. As set forth below, we find that the Performance Assurance Plans (PAPs) currently in place in New Hampshire and Delaware will provide assurance that the local market will remain open after Verizon receives section 271 authorization.[577] We have examined certain key aspects of each PAP and we find that the plans are likely to provide incentives that are sufficient to foster post-entry checklist compliance. The New Hampshire and Delaware Commissions each adopted a self-executing PAP, modeled on the PAPs adopted in New York, Massachusetts, and Connecticut.[578] The New Hampshire PAP uses the same general standards and measures set forth in the New York Carrier to Carrier guidelines.[579] Both the New

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574 *Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 190.

575 *Verizon New Jersey Order* 17 FCC Rcd at 12367, para. 189.

576 *See Verizon New Jersey Order* 17 FCC Rcd at 12367, para. 189; *BellSouth Alabama, Kentucky, Mississippi, North Carolina, and South Carolina Order*, at paras. 297-299.

577 *Ameritech Michigan Order*, 12 FCC Rcd at 20748-50, paras. 393-98. In all of the previous applications that the Commission has granted to date, the applicant was subject to an enforcement plan administered by the relevant state commission to protect against backsliding after BOC entry into the long distance market.

578 Verizon Application at 126-128; *see* Joint Declaration of Elaine M Guerard, Julie A. Canny, Beth A. Abesamis, and Marilyn C. DeVito (Performance Measurements – New Hampshire and Delaware) at paras. 105, 130, 132, and 140. (Guerard et al. Joint Declaration).

579 *See* Guerard et al. Joint Decl. at paras. 16-18. The Delaware Commission "has approved the use of the New York Guidelines in Delaware, and in July 2002 Verizon expects to begin reporting its performance under a set of measurements that are essentially identical to those in place in New York, Massachusetts, and New Hampshire." (cite para. in Guerard et al.)

Hampshire and Delaware PAPs expose Verizon to the same level of liability as the Massachusetts PAP.[580]

170. The Delaware plan differs only minimally from the New Hampshire plan.[581] The primary distinction involves the metric associated with flow-through of UNE orders. The Delaware benchmarks for this metric will be implemented over the course of one year; the New Hampshire flow-through benchmarks will be implemented over a shorter period.[582] In addition, the New Hampshire Commission has required Verizon to develop a rapid response process to resolve disagreements among carriers.[583]

171. As in prior section 271 orders, our conclusions are based on a review of several key elements in the PAP: total liability at risk; the definitions of the performance measurements and standards; the structure of the plan; the self-executing nature of remedies in the plan; the plan's data validation and audit procedures; and the plan's accounting requirements.[584] We find generally that the Delaware and New Hampshire PAPs satisfy our analysis in each of these key elements. Both the Delaware and New Hampshire plans were developed in open proceedings with participation by all sections of the industry and that concerns raised by commenters in those proceedings were considered by the Delaware and New Hampshire Commissions.[585] Based on the record in each state, the Delaware and New Hampshire Commissions each approved the PAPs.[586] We find that these PAPs, together with our section 271(b)(6) authority and the continuing oversight of the respective state commissions, provide reasonable assurance that the local market will remain open after 271 authority is granted. No commenter has raised any issues relating to the PAP in the record before us.

VII. SECTION 271(D)(6) ENFORCEMENT AUTHORITY

172. Section 271(d)(6) of the Act requires Verizon to continue to satisfy the "conditions required for ... approval" of its section 271 application after the Commission

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580 Guerard et al. Joint Decl. at paras. 100, 132. The New Hampshire Commission required that Verizon increase the total amount at risk to bring it into alignment with the 39-percent-of-net-return liability exposure in neighboring states. *Id.*, para. 100.

581 Guerard et al. Joint Decl. at para. 132.

582 Guerard et al. Joint Decl. at paras. 53, 135.

583 Guerard et al. Joint Decl. at para. 131; *Opinion Letter Regarding Verizon NH's Compliance with the Requirements of Section 271 of the Federal telecommunications Act of 1996* at 3 (App. B-NH, Tab 24).

584 *See, e.g., Verizon Massachusetts Order*, 16 FCC Rcd at 9121-25, paras. 240-49; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6377-81, paras. 273-80.

585 *See* Verizon Application at 122-23.

586 New Hampshire Commission Comments 18-20; Delaware Commission Comments at 4-5.

approves its application.[587] Thus, the Commission has a responsibility not only to ensure that Verizon is in compliance with section 271 today, but also that it remains in compliance in the future. As the Commission has already described the post-approval enforcement framework and its section 271(d)(6) enforcement powers in detail in prior orders, it is unnecessary to do so again here.[588]

173. Working in concert with the New Hampshire and Delaware Commissions, we intend to monitor closely Verizon's post-approval compliance for New Hampshire and Delaware to ensure that Verizon does not "cease[] to meet any of the conditions required for [section 271] approval."[589] We stand ready to exercise our various statutory enforcement powers quickly and decisively in appropriate circumstances to ensure that the local market remains open in New Hampshire and Delaware. We are prepared to use our authority under section 271(d)(6) if evidence shows market opening conditions have not been maintained.

174. We require Verizon to report to the Commission all New Hampshire and Delaware carrier-to-carrier performance metric results and Performance Assurance Plans monthly reports beginning with the first full month after the effective date of this Order, and for each month thereafter for one year unless extended by the Commission. These results and reports will allow us to review, on an ongoing basis, Verizon's performance to ensure continued compliance with the statutory requirements. We are confident that cooperative state and federal oversight and enforcement can address any backsliding that may arise with respect to Verizon's entry into the New Hampshire and Delaware long distance markets.[590]

VIII. CONCLUSION

175. For the reasons discussed above, we grant Verizon's application for authorization under section 271 of the Act to provide in-region, interLATA services in the states of New Hampshire and Delaware.

IX. ORDERING CLAUSES

176. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 271, Verizon's joint

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[587] 47 U.S.C. § 271(d)(6).

[588] *See, e.g., SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6382-84, paras. 283-85; *SWBT Texas Order*, 15 FCC Rcd at 18567-68, paras. 434-36; *Bell Atlantic New York Order*, 15 FCC Rcd at 4174, paras. 446-53.

[589] 47 U.S.C. § 271(d)(6)(A).

[590] *See, e.g., Bell Atlantic-New York Order*, 15 FCC Rcd at 5413-23, paras. 1-25 (2000) (adopting consent decree between the Commission and Bell Atlantic that included provisions for Bell Atlantic to make a voluntary payment of $3,000,000 to the United States Treasury, with additional payments if Bell Atlantic failed to meet specific performance standards and weekly reporting requirements to gauge Bell Atlantic's performance in correcting the problems associated with its electronic ordering systems).

application to provide in-region, interLATA services in the states of New Hampshire and Delaware, filed on June 27, 2002, IS GRANTED.

177. IT IS FURTHER ORDERED that Verizon's motion to the Commission to waive the page limit for Verizon's joint application to provide in-region, interLATA service in the states of New Hampshire and Delaware IS GRANTED.

178. IT IS FURTHER ORDERED that this Order SHALL BECOME EFFECTIVE October 4, 2002.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

APPENDIX A

List of Commenters

Verizon New England Inc., et al., Section 271 Application to Provide-In-Region InterLATA Service in New Hampshire and Delaware

CC Docket No. 02-157

Comments

Commenters:

Alliance for Public Technology ("APT")
AT&T Corp.
Cavalier Telephone Mid-Atlantic, L.L.C.
Freedom Ring Communications, L.L.C. d/b/a BayRing Communications
Sprint Communications Company L.P.
Telecommunications Research & Action Center ("TRAC")
WorldCom, Inc.

Reply Comments

Commenters:

AT&T Corp.
The Destek Group, Inc.
Freedom Ring Communications, L.L.C. d/b/a BayRing Communications

Appendix B

New Hampshire Performance Metrics

All data included here are taken from the New Hampshire Carrier-to-Carrier Reports. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics nor that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development). Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided, there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare the data over time.

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
Preorder and OSS Availability:	
OR-1-02	% On Time LSRC - Flow Through
OR-1-04	% On Time LSRC (Electronic - No Flow Through)
OR-1-06	% On Time LSRC (Electronic - No Flow Through)
OR-1-08	% On Time LSRC (Fax)
OR-1-10	% On Time LSRC Lines (Fax)
OR-1-12	% On Time FOC <= 192 Forecasted Trunks
OR-1-13	% On Time Design Layout Record (DLR)
OR-1-19	% On Time Resp. - Request for Inbound Augment Trunks
PO-1-01	Average Response Time – Customer Service Record
PO-1-02	Average Response Time - Due Date Availability
PO-1-03	Average Response Time - Address Validation
PO-1-04	Average Response Time - Product and Service Availability
PO-1-05	Average Response Time - Telephone Number Availability and Reservation
PO-1-06	Average Response Time - Facility Availability - (ADSL Loop Qualification)
PO-1-07	Average Response Time - Rejected Query
PO-1-08	% Timeouts
PO-1-09	Parsed CSR
PO-2-02	OSS Interface Availability – Prime Time - EDI - Pre-Ordering
PO-2-03	OSS Interface Availability – Non-Prime Time - Electronic Bonding - Maintenance
PO-4-01	% Change Management Notices sent on Time
PO-5-01	Average Notice of Interface Outage
PO-6-01	Software Validation
PO-7-01	% Software Problem Res. Timeliness
PO-7-02	Delay Hrs. - S/W Res. - Change - Xactions Failed, No Workaround

Metric Number	Metric Name
Ordering:	
OR-2-02	% On Time LSR Reject - Flow Through
OR-2-04	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-06	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-08	% On Time LSR Reject (Fax)
OR-2-10	% On Time LSR Reject (Fax)
OR-2-12	% On Time Trunk ASR Reject <= 192 Forecasted Trunks
OR-3-01	% Rejects
OR-3-02	% Resubmission Not Rejected
OR-4-11	% Completed orders with neither a PCN nor BCN sent
OR-4-16	% Provisioning Completion Notifiers sent within one (1) Business Day
OR-4-17	% Billing Completion Notifier sent within two (2) Business Days
OR-5-01	% Flow Through - Total
OR-5-03	% Flow Through Achieved
OR-6-01	% Accuracy - Orders
OR-6-03	% Accuracy – Local Service Confirmation
OR-7-01	% Order Confirmations/Rejects Sent Within 3 Business Days
Provisioning:	
PR-1-09	Average Interval Offered – Total
PR-3-01	% Completed in 1 Day (1-5 Lines - No Dispatch)
PR-3-03	% Completed in 3 Days (1-5 Lines - No Dispatch)
PR-3-06	% Completed in 3 Days (1-5 Lines - Dispatch)
PR-3-08	% Completed in 5 Days (1-5 Lines – No Dispatch)
PR-3-09	% Completed in 5 Days (1-5 Lines – Dispatch)

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
PO-7-03	Delay Hrs. - S/W Res. - Change - Xactions Failed, With Workaround
PO-7-04	Delay Hrs. - Failed/Rejected Test Deck - Xactions Failed, No W/A
PO-8-01	% On Time - Manual Loop Qualification
PO-8-02	% On Time - Engineering Record Request
MR-1-01	Average Response Time - Create Trouble - Electronic Bonding
MR-1-02	Average Response Time - Status Trouble - Electronic Bonding
MR-1-03	Average Response Time - Modify Trouble - Electronic Bonding
MR-1-04	Average Response Time - Request Cancellation of Trouble - Electronic Bonding
MR-1-05	Average Response Time - Trouble Report History (by TN/Circuit) - Electronic Bonding
MR-1-06	Average Response Time - Test Trouble (POTS Only) - Electronic Bonding
Change Management, Billing, OS/DA, Interconnection and	
BI-1-02	% DUF in 4 Business Days
BI-2-01	Timeliness of Carrier Bill - Paper Bills
BI-3-04	% CLEC Billing Claims Acknowledged within 2 Business Days
BI-3-05	% CLEC Billing Claims Resolved within 28 Calendar Days After Acknowledgment
NP-1-02	% FTG Exceeding Blocking Standard (No Exceptions) - Final Trunks
NP-1-03	Number Dedicated FTG Exceeding Blocking Standard – 2 Months
NP-1-04	Number Dedicated FTG Exceeding Blocking Standard – 3 Months
NP-2-01	% On Time Response to Request for Physical Collocation
NP-2-02	% On Time Response to Request for Virtual Collocation

Metric Number	Metric Name
PR-4-01	% Missed Appt. – VZ – Total
PR-4-02	Average Delay Days – Total
PR-4-03	% Missed Appt. – Customer
PR-4-04	% Missed Appt. – VZ – Dispatch
PR-4-05	% Missed Appt. – VZ – No Dispatch
PR-4-07	% On Time Performance - LNP
PR-4-08	% Missed Appt. – Customer – Due to Late Order Confirmation
PR-4-14	% Completed on Time
PR-5-01	% Missed Appointment – Verizon – Facilities
PR-5-02	% Orders Held for Facilities > 15 Days
PR-5-03	% Orders Held for Facilities > 60 Days
PR-6-01	% Installation Troubles reported within 30 Days
PR-6-03	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE
PR-8-01	% Open Orders in a Hold Status > 30 Days
PR-8-02	% Open Orders in a Hold Status > 90 Days
PR-9-01	% On Time Performance - Hot Cuts - Loop
Maintenance and Repair:	
MR-2-01	Network Trouble Report Rate
MR-2-02	Network Trouble Report Rate – Loop
MR-2-03	Network Trouble Report Rate – Central Office

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
NP-2-03	Average Interval – Physical Collocation
NP-2-04	Average Interval – Virtual Collocation
NP-2-05	% On Time – Physical Collocation
NP-2-06	% On Time – Virtual Collocation
NP-2-07	Average Delay Days – Physical Collocation
NP-2-08	Average Delay Days – Virtual Collocation

Metric Number	Metric Name
MR-2-04	% Subsequent Reports
MR-2-05	% CPE/TOK/FOK Trouble Report Rate
MR-3-01	% Missed Repair Appointment – Loop
MR-3-02	% Missed Repair Appointment – Central Office
MR-3-03	% Missed Repair Appointment — CPE /TOK/FOK
MR-4-01	Mean Time To Repair – Total
MR-4-02	Mean Time to Repair - Loop Trouble
MR-4-03	Mean Time To Repair – Central Office Trouble
MR-4-04	% Cleared (all troubles) within 24 Hours
MR-4-05	% Out of Service > 2 Hours
MR-4-06	% Out of Service > 4 hours
MR-4-07	% Out of Service > 12 hours
MR-4-08	% Out of Service > 24 Hours
MR-5-01	% Repeat Reports within 30 Days

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OSS & BILLING (Pre-Ordering) - POTS/Special Services												
PRE-ORDERING												
PO-1 - Response Time OSS Pre-Ordering Interface												
PO-1-01-6020	Customer Service Record - EDI	1.3	2.55	1.32	2.55	1.34	2.79	1.29	2.63	0.76	2.52	
PO-1-01-6030	Customer Service Record - CORBA	1.3	0.69	1.32	0.74	1.34	0.68	1.29	0.7	0.76	0.95	
PO-1-01-6050	Customer Service Record - Web GUI	1.3	2.4	1.32	2.46	1.34	2.53	1.29	3.29	0.76	2.61	
PO-1-02-6020	Due Date Availability - EDI	0.06	NA	0.07	NA	0.07	NA	0.1	NA	0.06	NA	
PO-1-02-6030	Due Date Availability - CORBA	0.06	NA	0.07	NA	0.07	NA	0.1	NA	0.06	NA	
PO-1-02-6050	Due Date Availability - Web GUI	0.06	2.15	0.07	2.16	0.07	2.34	0.1	3.21	0.06	2.07	
PO-1-03-6020	Address Validation - EDI	3.96	4.67	3.98	5.01	4.67	4.85	4.92	4.93	4.4	5.39	
PO-1-03-6030	Address Validation - CORBA	3.96	NA	3.98	3	4.67	NA	4.92	3.23	4.4	3.23	2,4
PO-1-03-6050	Address Validation - Web GUI	3.96	4.94	3.98	5.14	4.67	5.52	4.92	5.71	4.4	5.17	
PO-1-04-6020	Product & Service Availability - EDI	8.44	NA	8.53	NA	9.26	NA	10.69	NA	8.8	NA	
PO-1-04-6030	Product & Service Availability - CORBA	8.44	NA	8.53	NA	9.26	NA	10.69	NA	8.8	NA	
PO-1-04-6050	Product & Service Availability - Web GUI	8.44	6.21	8.53	6.62	9.26	6.21	10.69	7.41	8.8	8.37	
PO-1-05-6020	Telephone Number Availability & Reservation - EDI	4.78	NA	4.77	NA	5.6	NA	6.06	NA	5.37	NA	
PO-1-05-6030	Telephone Number Availability & Reservation - CORBA	4.78	NA	4.77	NA	5.6	NA	6.06	NA	5.37	NA	
PO-1-05-6050	Telephone Number Availability & Reservation - Web GUI	4.78	6.83	4.77	6.63	5.6	7.74	6.06	6.92	5.37	6.7	
PO-1-06-6020	Average Response Time - Mechanized Loop Qualification - DSL - EDI	4.35	3.39	8.18	3.65	8.02	3.84	7.67	4.13	13.74	4.01	
PO-1-06-6030	Average Response Time - Mechanized Loop Qualification - DSL - CORBA	4.35	NA	8.18	NA	8.02	NA	7.67	NA	13.74	NA	
PO-1-06-6050	Average Response Time - Mechanized Loop Qualification - DSL - Web GUI	4.35	3.99	8.18	4.06	8.02	4.27	7.67	4.1	13.74	3.5	
PO-1-07-6020	Rejected Query - EDI	0.04	2.26	0.04	2.3	0.03	2.44	0.03	2.48	0.04	2.4	
PO-1-07-6030	Rejected Query - CORBA	0.04	0.58	0.04	0.57	0.03	0.59	0.03	0.59	0.04	0.58	
PO-1-07-6050	Rejected Query - Web GUI	0.04	2.87	0.04	2.75	0.03	3	0.03	3.54	0.04	2.81	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-1-08-6020	% Timeouts - EDI		0.07		0.12		0.18		0.15		0.33	
PO-1-08-6030	% Timeouts - CORBA		0		0		0		0		0	
PO-1-08-6050	% Timeouts - Web GUI		0.01		0.09		0.01		1.21		0.01	
PO-1-09-6020	Parsed CSR - EDI	1.3	1.52	1.32	2.19	1.34	2.63	1.29	1.88	0.76	2.3	1,3,4
PO-1-09-6030	Parsed CSR - CORBA	1.3	0.24	1.32	0.42	1.34	0.19	1.29	0.27	0.76	0.42	2,3,4
PO-2 - OSS Interface Availability												
PO-2-02-6020	OSS Interf. Avail. – Prime Time – EDI		100		100		100		100		100	
PO-2-02-6030	OSS Interf. Avail. – Prime Time – CORBA		100		100		100		100		100	
PO-2-02-6060	OSS Interf. Avail. – Prime Time – Electronic Bonding		100		100		100		100		100	
PO-2-02-6080	OSS Interf. Avail. – Prime Time – Maint./Web GUI/Pre-Order/Ordering WEB GUI		99.84		99.69		99.87		100		99.75	1,2,3,5
PO-2-03-6020	OSS Interf. Avail. – Non-Prime – EDI		99.73		99.2		99.54		99.51		99.26	1,2,3,4,5
PO-2-03-6030	OSS Interf. Avail. – Non-Prime – CORBA		99.83		99.78		99.92		99.84		99.8	1,2,3,4,5
PO-2-03-6040	OSS Interf. Avail. – Non-Prime – Maint. Web GUI (RETAS)		99.08		99.78		97.85					1,2,3
PO-2-03-6050	OSS Interf. Avail. – Non-Prime – Pre-order/Order WEB GUI		99.08		99.78		97.85					1,2,3
PO-2-03-6060	OSS Interf. Avail – Non-Prime – Electronic Bonding		100		100		100		100		100	
PO-2-03-6080	OSS Interf. Avail. – Non-Prime – Maint. Web GUI/Pre-Order/Ordering WEB GUI								98.98		99.89	4,5
PO-5 - Average Notification of Interface Outage												
PO-5-01-2000	Average Notice of Interface Outage		15		15		NA		NA		20	1,2,5
PO-6 - Software Validation												
PO-6-01-2000	Software Validation		0		R3		R3		R3		0	
PO-7 - Software Problem Resolution Timeliness												
PO-7-01-2000	% Software Problem Res. Timeliness		NA		NA		NA		R3		NA	
PO-7-02-2000	Delay Hrs. - S/W Res. - Change - Xactions Failed, No Workaround		NA		NA		NA		NA		NA	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-7-03-2000	Delay Hrs. - S/W Res. - Change - Xactions Failed, With Workaround		NA		NA		NA		NA		NA	
PO-7-04-2000	Delay Hrs. - Failed/Rejected Test Deck - Xactions Failed, No W/A		NA		NA		NA		NA		NA	
PO-8 - Manual Loop Qualification												
PO-8-01-2000	% On Time - Manual Loop Qualification		NA		100		100		100		100	2,3,4,5
PO-8-02-2000	% On Time - Engineering Record Request		NA		NA		NA		NA		NA	
Change Notification												
PO-4 - Timeliness of Change Management Notice												
PO-4-01-6660	% Notices Sent on Time - Industry Standard, Verizon Orig. & CLEC Orig.		100		NA		100		NA		100	1,5
PO-4-01-6671	% Notices Sent on Time - Emergency Maint. & Regulatory		100		100		100		100		100	1,2,5
Change Confirmation												
PO-4 - Timeliness of Change Management Notice												
PO-4-01-6622	% Notices Sent on Time - Regulatory		NA		NA		NA		100		NA	
PO-4-01-6662	% Notices Sent on Time - Ind. Std., Verizon Orig. & CLEC Orig.		NA		NA		NA		100		100	5
TROUBLE REPORTING (OSS)												
MR-1 - Response Time OSS Maintenance Interface												
MR-1-01-2000	Create Trouble	7.83	3.81	8.1	3.92	8.76	3.58	8.8	3.59	8.34	3.57	
MR-1-02-2000	Status Trouble	5.07	5.09	4.68	0.49	4.28	0.39	4.5	0.41	4.12	4.49	2,3,4,5
MR-1-03-2000	Modify Trouble	7.52	NA	7.88	NA	8.58	NA	8.78	NA	8.14	NA	
MR-1-04-2000	Request Cancellation of Trouble	9.18	0.38	9.26	3.17	9.87	NA	10.37	3.19	9.52	5.74	1,2,4,5
MR-1-05-2000	Trouble Report History (by TN/Circuit)	0.29	0.88	0.28	0.93	0.27	0.81	0.29	0.75	0.32	0.78	
MR-1-06-2000	Test Trouble (POTS Only) - RETAIL only	56.03	47.37	55.59	48.14	56.11	46.66	54.32	45.92	52.33	50.22	
BILLING												
BI-1 - Timeliness of Daily Usage Feed												
BI-1-02-2030	% DUF in 4 Business Days		99.94		99.96		99.94		98.63		99.85	
BI-2 - Timeliness of Carrier Bill												
BI-2-01-2030	Timeliness of Carrier Bill		100		98.82		95.79		99.56		100	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
BI-3 - Billing Accuracy & Claims Processing												
BI-3-04-2030	% CLEC Billing Claims Acknowledged within 2 Business Days		83.33		100		100		100		100	
BI-3-05-2030	% CLEC Billing Claims Resolved within 28 Calendar Days After Acknowledgment		60		92.59		100		100		57.69	
Resale (Ordering) - POTS/Special Services												
RESALE Ordering												
OR-10 - PON Notifier Exception Resolution Timeliness												
OR-10-01-2000	% of PON Exceptions Resolved Within Three (3) Business Days											
OR-10-02-2000	% of PON Exceptions Resolved Within Ten (10) Business Days											
POTS & Pre-qualified Complex - Electronically Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-02-2320	% On Time LSRC – Flow Through		99.79		100		99.79		100		100	
OR-1-04-2100	% On Time LSRC No Facility Check		96.94		98.6		99.32		100		98.32	
OR-1-06-2320	% On Time LSRC/ASRC Facility Check		100		97.94		98.25		100		100	
OR-2 - Reject Timeliness												
OR-2-02-2320	% On Time LSR Reject – Flow Through		100		99.35		100		100		100	
OR-2-04-2320	% On Time LSR Reject No Facility Check		99.21		100		98.73		100		100	
OR-2-06-2320	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
2 Wire Digital Services												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-2341	% On Time LSRC No Facility Check		100		100		100		100		100	1,2,5
OR-1-06-2341	% On Time LSRC/ASRC Facility Check		100		NA		NA		100		100	1,4,5
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2341	% On Time LSR Reject No Facility Check		100		100		85.71		100		100	1,2,3
OR-2-06-2341	% On Time LSR/ASR Reject Facility Check		100		NA		NA		100		100	1,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-2000	% Rejects		27.37		37.42		38.5		36.56		40	
OR-3-02-2000	% Resubmission Not Rejected		NA		NA		NA		NA		NA	
OR-4 - Timeliness of Completion Notification												
OR-4-11-2000	% Completed orders with neither a PCN nor BCN sent		UD		0		0		0.68		0	
OR-4-16-2000	% Provisioning Completion Notifiers sent within one (1) Business Day		UD		50.75		71.26		79.59		86.49	
OR-4-17-2000	% Billing Completion Notifier sent within two (2) Business Days		UD		98.51		99.4		97.96		99.32	
OR-5 - Percent Flow-Through												
OR-5-01-2000	% Flow Through - Total		66.28		60.05		55.09		53.8		58.51	
OR-5-03-2000	% Flow Through Achieved		89.31		91.91		90.69		93.49		94.3	
OR-6 - Order Accuracy												
OR-6-01-2000	% Accuracy – Orders		96.76		95.98		95.39		99.19		99.19	
OR-6-03-2000	% Accuracy – LSRC		0		0.1		0.21		0.06		0.23	
OR-7 - Order Completeness												
OR-7-01-2000	% Order Confirmation/Rejects sent within 3 Business Days		99.8		99.47		99.43		99.85		99.68	
Special Services - Electronically Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2210	% On Time LSRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-04-2211	% On Time LSRC No Facility Check DS1		NA		NA		NA		NA		NA	
OR-1-04-2213	% On Time LSRC No Facility Check DS3		NA		NA		NA		NA		NA	
OR-1-04-2214	% On Time LSRC No Facility Check (Non DS0, DS1, & DS3)		100		100		100		100		94.44	
OR-1-06-2210	% On Time LSRC/ASRC Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-06-2211	% On Time LSRC/ASRC Facility Check DS1		NA		NA		NA		NA		NA	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-2213	% On Time LSRC/ASRC Facility Check DS3		NA		NA		NA		NA		NA	
OR-1-06-2214	% On Time LSRC/ASRC Facility Check (Non DS0, DS1, & DS3)		100		NA		100		NA		NA	1,3
OR-2 - Reject Timeliness												
OR-2-04-2200	% On Time LSR Reject No Facility Check		100		100		100		100		100	
OR-2-06-2200	% On Time LSR/ASR Reject Facility Check		100		100		100		100		NA	1,2,3,4
Resale (Provisioning) - POTS/Special Services												
POTS - Provisioning - Total												
PR-4 - Missed Appointments												
PR-4-02-2100	Average Delay Days – Total	5.43	NA	4.96	15	3.71	3	4.23	1	5.32	5.5	2,3,4,5
PR-4-03-2100	% Missed Appointment – Customer		1.09		3.02		3.09		3.65		4.42	
PR-4-04-2100	% Missed Appointment – Verizon – Dispatch	5.44	0	4.39	1.09	4.17	1.89	4.01	1.74	5.67	2.02	
PR-4-05-2100	% Missed Appointment – Verizon – No Dispatch	0	0	0	0	0.01	0	0	0	0.01	0	
PR-6 - Installation Quality												
PR-6-01-2100	% Installation Troubles reported within 30 Days	2.62	0.88	3.19	1.11	2.88	1.3	3.78	2.32	4.57	2.3	
PR-6-03-2100	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		1.1		1.82		0.65		2.02		1.45	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2100	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-2100	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
POTS & Complex Aggregate												
2-Wire Digital Services												
PR-4 - Missed Appointments												
PR-4-02-2341	Average Delay Days – Total	6	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-4-03-2341	% Missed Appointment – Customer		10		14.29		0		0		0	2,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-04-2341	% Missed Appointment – Verizon – Dispatch	6.25	0	0	0	0	0	0	NA	0	0	1,2,3,5
PR-4-05-2341	% Missed Appointment – Verizon – No Dispatch	0	0	0	0	0	0	0	0	0	0	1,2,3,4,5
PR-4-08-2341	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0		0	2,4,5
PR-6 - Installation Quality												
PR-6-01-2341	% Install. Troubles Reported within 30 Days	2.88	0	0	0	1.63	0	2.5	0	0	0	
PR-6-03-2341	% Install. Troubles Reported w/in 30 Days - FOK/TOK/CPE		0		0		0		0		10	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2341	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	2,4,5
PR-8-02-2341	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	2,4,5
Special Services - Provisioning												
PR-4 - Missed Appointments												
PR-4-01-2210	% Missed Appointment – Verizon – DS0	0	0	7.14	0	10	0	0	0	4.17	0	1,2,3,4,5
PR-4-01-2211	% Missed Appointment – Verizon – DS1	11.11	NA	16.67	NA	14.89	0	19.57	NA	10.53	NA	3
PR-4-01-2213	% Missed Appointment – Verizon – DS3	NA	NA	100	NA	NA	NA	50	NA	100	NA	
PR-4-01-2214	% Missed Appointment – Verizon – Special Other	14.29	0	0	0	0	NA	0	NA	0	0	1,2,5
PR-4-02-2200	Average Delay Days – Total	6.67	NA	16.2	NA	5	NA	10.8	NA	9.25	NA	
PR-4-03-2200	% Missed Appointment – Customer		0		50		33.33		0		28.57	2,3,4,5
PR-4-08-2200	% Missed Appt. – Customer – Due to Late Order Conf.		0		0		0		0		0	1,2,3,4,5
PR-6- Installation Quality												
PR-6-01-2200	% Installation Troubles reported within 30 Days	2.48	0	10.87	16.67	10.48	0	9.84	5.56	10.2	0	
PR-6-03-2200	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		3.23		8.33		0		5.56		0	
PR-8 - Open Orders in a Hold Status												

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-8-01-2200	Open Orders in a Hold Status > 30 Days	5.88	0	0	0	0	0	0	0	0	0	1,2,3,4,5
PR-8-02-2200	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	1,2,3,4,5
Resale (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-3 - Missed Repair Appointments												
MR-3-01-2110	% Missed Repair Appointment – Loop Bus.	10.28	1.61	9.13	2.59	19.8	18.45	12.42	6.48	22	18.45	
MR-3-01-2120	% Missed Repair Appointment – Loop Res.	7.4	0	7.74	0	14.64	0	9.37	7.69	14.05	7.69	1
MR-3-02-2110	% Missed Repair Appointment – Central Office Bus.	9.38	0	9.09	0	4.72	0	4.93	0	15.79	7.69	3
MR-3-02-2120	% Missed Repair Appointment – Central Office Res.	5.07	NA	5.39	0	4.9	0	2.51	0	7.85	0	2,3,4,5
MR-3-03-2100	% CPE/TOK/FOK - Missed Appointment		3.96		0.93		4.44		1.5		12.93	
MR-4 - Trouble Duration Intervals												
MR-4-01-2100	Mean Time To Repair – Total	18.41	11.72	16.65	7.91	21.57	13.13	19.01	10.06	23.28	11.09	
MR-4-02-2110	Mean Time To Repair – Loop Trouble - Bus.	9.11	13.31	8.29	7.89	12.53	13.58	9.39	9.96	10.11	9.75	
MR-4-02-2120	Mean Time To Repair – Loop Trouble - Res.	21.35	34.34	18.96	13.94	24.59	15.89	21.65	22.85	26.07	28.69	1
MR-4-03-2110	Mean Time To Repair – Central Office Trouble - Bus.	4.29	1.14	3.43	4.59	3.29	4.48	3.6	1.79	5.68	6.38	3
MR-4-03-2120	Mean Time To Repair – Central Office Trouble - Res.	6.71	NA	6.66	2.88	6.14	2.27	5.35	2.88	8.4	1.26	2,3,4,5
MR-4-04-2100	% Cleared (all troubles) within 24 Hours	74	93.1	77.77	97.14	65.17	83.08	71.65	95	62.54	88.64	
MR-4-06-2100	% Out of Service > 4 Hours	78.48	50	77.91	59.34	82.36	61.22	81.33	62.96	85.72	69.52	
MR-4-07-2100	% Out of Service > 12 Hours	57.15	32.26	51.32	30.77	64.59	37.76	60.25	40.74	65.14	39.05	
MR-4-08-2110	% Out of Service > 24 Hours - Bus.	4.6	5.08	2.72	1.19	11.57	18.82	5.41	3.03	6.53	6.59	
MR-4-08-2120	% Out of Service > 24 Hours - Res.	30.43	33.33	24.91	0	38.69	30.77	32.08	33.33	41.32	57.14	1,2
MR-5 - Repeat Trouble Reports												
MR-5-01-2100	% Repeat Reports within 30 Days	13.3	11.49	12.63	7.86	12.6	8.46	13.47	12.86	14.8	10.61	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
2-Wire Digital Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-2341	Network Trouble Report Rate – Loop	0.5	0.24	0.35	0.24	0.48	0.24	0.51	0	0.45	0.47	
MR-2-03-2341	Network Trouble Report Rate – Central Office	0.35	0	0.29	0	0.37	0	0.32	1.17	0.13	0	
MR-2-04-2341	% Subsequent Reports		50		0		0		28.57		33.33	1,2,3,4,5
MR-2-05-2341	% CPE/TOK/FOK Trouble Report Rate		1.21		0.97		0.24		3.52		1.41	
MR-3 - Missed Repair Appointments												
MR-3-01-2341	% Missed Repair Appointment – Loop	15.79	100	15.38	0	27.78	100	21.05	NA	35.29	0	1,2,3,5
MR-3-02-2341	% Missed Repair Appointment – Central Office	15.38	NA	18.18	NA	21.43	NA	16.67	20	40	NA	4
MR-3-03-2341	% CPE/TOK/FOK - Missed Appointment		20		0		0		0		0	1,2,3,5
MR-4 - Trouble Duration Intervals												
MR-4-01-2341	Mean Time To Repair – Total	11.42	26.6	14.44	18.4	17.63	27.83	16.63	16.49	20.38	10.13	1,2,3,4,5
MR-4-02-2341	Mean Time To Repair – Loop Trouble	12.21	26.6	16.14	18.4	18.91	27.83	23.8	NA	19.06	10.13	1,2,3,5
MR-4-03-2341	Mean Time To Repair – Central Office Trouble	10.26	NA	12.44	NA	15.99	NA	5.27	16.49	24.88	NA	4
MR-4-04-2341	% Cleared (all troubles) within 24 Hours	90.63	0	79.17	100	78.13	0	83.87	80	63.64	100	1,2,3,4,5
MR-4-07-2341	% Out of Service > 12 Hours	23.08	NA	0	NA	27.27	100	27.27	33.33	83.33	100	3,4,5
MR-4-08-2341	% Out of Service > 24 Hours	7.69	NA	0	NA	18.18	100	9.09	33.33	66.67	0	3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-2341	% Repeat Reports within 30 Days	25	100	16.67	0	21.88	0	3.23	20	9.09	0	1,2,3,4,5
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-01-2200	Network Trouble Report Rate	0.16	0.32	0.21	0.34	0.32	0.72	0.31	0.21	0.36	0.28	
MR-2-05-2200	% CPE/TOK/FOK Trouble Report Rate		0.32		0.39		0.27		0.45		0.42	
MR-4 - Trouble Duration Intervals												
MR-4-01-2216	Mean Time To Repair – Total - Non DS0 & DS0	5.7	3.72	5.08	5.68	4.52	9.58	6.43	4.38	6.64	5.12	4,5
MR-4-01-2217	Mean Time To Repair – Total - DS1 & DS3	5.25	9.24	5.84	NA	7.69	NA	6.37	2.88	5.89	5.45	1,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-04-2216	% Cleared (all troubles) within 24 Hours - Non DS0 & DS0	97.01	100	98.78	100	100	100	97.96	100	97.3	100	4,5
MR-4-04-2217	% Cleared (all troubles) within 24 Hours - DS1 & DS3	100	100	97.73	NA	94	NA	100	100	100	100	1,4,5
MR-4-06-2216	% Out of Service > 4 Hours - Non DS0 & DS0	48.48	55.56	40.26	62.5	42.59	73.68	57.29	50	52.78	50	2,4,5
MR-4-06-2217	% Out of Service > 4 Hours - DS1 & DS3	46.67	100	58.14	NA	60	NA	67.86	0	61.4	100	1,4,5
MR-4-08-2216	% Out of Service > 24 Hours - Non DS0 & DS0	3.03	0	1.3	0	0	0	2.08	0	2.78	0	2,4,5
MR-4-08-2217	% Out of Service > 24 Hours - DS1 & DS3	0	0	2.33	NA	6	NA	0	0	0	0	1,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-2200	% Repeat Reports within 30 Days	29.59	14.29	15.87	53.33	17.61	61.9	21.79	0	29.76	25	4,5
UNE (Ordering) - POTS/Special Services												
UNE Ordering												
OR-10 - PON Notifier Exception Resolution Timeliness												
OR-10-01-3000	% of PON Exceptions Resolved Within Three (3) Business Days											
OR-10-02-3000	% of PON Exceptions Resolved Within Ten (10) Business Days											
Platform												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3143	% On Time LSRC – Flow Through		100		100		100		100		100	
OR-1-04-3143	% On Time LSRC No Facility Check		100		100		100		100		98.82	
OR-1-06-3143	% On Time LSRC/ASRC Facility Check		100		94.74		100		100		100	3
OR-2 - Reject Timeliness												
OR-2-02-3143	% On Time LSR Reject – Flow Through		100		100		100		100		100	
OR-2-04-3143	% On Time LSR Reject No Facility Check		100		100		100		98.61		100	
OR-2-06-3143	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	1,2,3,4,5
OR-6 - Order Accuracy												
OR-6-01-3143	% Accuracy - Orders		UR		99.75		96.85		99.75		98.75	
OR-6-03-3143	% Accuracy – LSRC		0		0		0.03		0.03		0	
OR-7 - *Order Completeness*												

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-7-01-3143	% Order Confirmation/Rejects sent within 3 Business Days		100		100		99.63		97.43		99.25	
Loop/Pre-qualified Complex/LNP												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3331	% On Time LSRC – Flow Through		99.91		99.86		99.9		99.97		99.97	
OR-1-04-3331	% On Time LSRC No Facility Check		98.85		99.52		99.26		99.68		99.25	
OR-1-06-3331	% On Time LSRC/ASRC Facility Check		99.48		98.7		100		98.91		99.08	
OR-2 - Reject Timeliness												
OR-2-02-3331	% On Time LSR Reject – Flow Through		100		99.77		99.44		100		99.77	
OR-2-04-3331	% On Time LSR Reject No Facility Check		100		100		100		100		99.47	
OR-2-06-3331	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
OR-6 - Order Accuracy												
OR-6-01-3331	% Accuracy - Orders		98.21		99.01		97.11		99.17		100	
OR-6-03-3331	% Accuracy – LSRC		0.56		0.28		0.25		0.16		0.43	
OR-7 - Order Completeness												
OR-7-01-3331	% Order Confirmation/Rejects sent within 3 Business Days		99.83		99.92		99.84		99.84		99.77	
2 Wire Digital Services												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-3341	% On Time LSRC No Facility Check		100		96.43		100		100		97.06	
OR-1-06-3341	% On Time LSRC/ASRC Facility Check		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3341	% On Time LSR Reject No Facility Check		100		100		100		100		100	1,4,5
OR-2-06-3341	% On Time LSR/ASR Reject Facility Check		NA		NA		NA		NA		NA	
2 Wire xDSL Loops												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-3342	% On Time LSRC No Facility Check		100		100		100		100		100	
OR-1-06-3342	% On Time LSRC/ASRC - Facility Check		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3342	% On Time LSR Reject No Facility Check		100		100		100		100		100	
OR-2-06-3342	% On Time LSR/ASR Reject Facility Check		NA		NA		NA		NA		NA	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
2 Wire xDSL Line Sharing & Line Splitting												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-3340	% On Time LSRC No Facility Check		100		100		NA		100		100	1,2,4,5
OR-1-06-3340	% On Time LSRC/ASRC - Facility Check		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3340	% On Time LSR Reject No Facility Check		100		100		NA		NA		NA	1,2
OR-2-06-3340	% On Time LSR/ASR Reject Facility Check		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-3000	% Rejects (ASRs + LSRs)		18.87		17.24		18.92		13.79		15.6	
OR-4 - Timeliness of Completion Notification												
OR-4-11-3000	% Completed orders with neither a PCN nor BCN sent		UD		0		0		0.68		0	
OR-4-16-3000	% Provisioning Completion Notifiers sent within one (1) Business Day		UD		50.75		71.26		79.59		86.49	
OR-4-17-3000	% Billing Completion Notifier sent within two (2) Business Days		UD		98.51		99.4		97.96		99.32	
OR-5 - Percent Flow-Through												
OR-5-01-3000	% Flow Through - Total		69.65		70.92		70.31		75.64		69.5	
OR-5-03-3000	% Flow Through Achieved		94.44		95.22		95.5		95.95		96.84	
Special Services - Electronically Submitted												
OR-1 - Order Confirmation Timeliness (ASRs + LSRs)												
OR-1-04-3210	% On Time LSRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-06-3210	% On Time LSRC/ASRC Facility Check DS0		NA		NA		NA		NA		0	5
OR-1-06-3211	% On Time LSRC/ASRC Facility Check DS1		86.21		96		98.15		100		100	
OR-1-06-3213	% On Time LSRC/ASRC Facility Check DS3		100		100		100		100		100	1,3,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-3214	% On Time LSRC/ASRC Facility Check (Non DS0, Non DS1, & Non DS3)		100		NA		NA		NA		NA	1
OR-2 - Reject Timeliness (ASRs + LSRs)												
OR-2-04-3200	% On Time LSR Reject No Facility Check		100		NA		100		100		100	1,3,4,5
OR-2-06-3200	% On Time LSR/ASR Reject Facility Check		100		96.3		100					
OR-2-06-3210	% On Time LSR/ASR Reject Facility Check DS0								100		NA	4
OR-2-06-3211	% On Time LSR/ASR Reject Facility Check DS1								100		100	
OR-2-06-3213	% On Time LSR/ASR Reject Facility Check DS3								100		100	4,5
OR-2-06-3214	% On Time LSR/ASR Reject Facility Check (Non DS0, DS1, & DS3)								NA		NA	
Special Services - FAX/MAIL Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-08-3210	% On Time ASRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-10-3210	% On Time ASRC Facility Check DS0 (UNE EELs ordered via ASR)								NA		NA	
OR-1-10-3211	% On Time ASRC Facility Check DS1		NA		NA		NA		NA		NA	
OR-1-10-3213	% On Time ASRC Facility Check DS3		NA		NA		NA		NA		NA	
OR-1-10-3214	% On Time ASRC Facility Check (Non DS0, Non DS1, & Non DS3)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-08-3200	% On Time ASR Reject No Facility Check		NA		NA		NA		NA		NA	
OR-2-10-3200	% On Time ASR Reject Facility Check		NA		NA		NA		NA		NA	
UNE (Provisioning) - POTS/Special Services												
POTS - Provisioning												
PR-3 - Completed within X Days												
PR-3-01-3140	% Completed in 1 Day (1-5 Lines - No Dispatch) -Platform	88.94	92.18	89.02	98.49	75.51	97.3	79.33	90.16	87.96	80.56	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-3-06-3113	% Completed in 3 Days (1-5 Lines - Dispatch) - Loop New	94.95	77.78	90.58	81.82	94.99	50	93.04	66.67	89.08	80	5
PR-3-06-3140	% Completed in 3 Days (1-5 Lines - Dispatch) - Platform	94.95	75	90.58	100	94.99	100	93.04	100	89.08	85.71	1,2,3,4,5
PR-3-08-3111	% Completed in 5 Days (1-5 Lines – No Dispatch) - Hot Cut Loop		98.88		99.12		100		100		100	
PR-3-09-3113	% Completed in 5 Days (1-5 Lines – Dispatch) - Loop New	97.19	100	97.12	100	98.28	100	96.76	100	95.81	100	5
PR-3-09-3140	% Completed in 5 Days (1-5 Lines – Dispatch) - Platform	97.19	75	97.12	100	98.28	100	96.76	100	95.81	100	1,2,3,4,5
PR-4 - Missed Appointments												
PR-4-02-3100	Average Delay Days – Total	5.43	10.67	4.96	49.67	3.71	1	4.23	2	5.32	2	1,2,3,4,5
PR-4-03-3100	% Missed Appt. – Customer		3.61		6.28		10.07		3.9		8.13	
PR-4-04-3113	% Missed Appt. – Verizon – Dispatch - Loop New	5.44	1.94	4.39	1.09	4.17	0.63	4.01	0.65	5.67	0	
PR-4-04-3140	% Missed Appt. – Verizon – Dispatch - Platform	5.44	6.25	4.39	8.33	4.17	0	4.01	0	5.67	5	
PR-4-05-3140	% Missed Appt. – Verizon – No Dispatch - Platform	0	0	0	0	0.01	0	0	0	0.01	0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3112	% Installation Troubles reported within 30 Days - Loop	2.62	2.54	3.19	1.36	2.88	1.79	3.78	2.21	4.57	2.02	
PR-6-01-3121	% Installation Troubles reported within 30 Days - Platform	2.62	0.67	3.19	0	2.88	3.03	3.78	0.39	4.57	0.48	
PR-6-03-3112	% Installation Troubles reported within 30 Days - FOK/TOK/CPE – Loop		2.01		2.22		2.16		2.62		2.28	
PR-6-03-3121	% Installation Troubles reported within 30 Days - FOK/TOK/CPE – Platform		1.51		0.36		2.02		0.39		0.48	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3100	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-8-02-3100	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
PR-9 - Hot Cuts Loops												
PR-9-01-3520	% On Time Performance – Hot Cut		98.94		97.84		98.65		98.47		99.59	
POTS & Complex Aggregate												
2-Wire Digital Services												
PR-4 - Missed Appointments												
PR-4-02-3341	Average Delay Days – Total	6	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-4-03-3341	% Missed Appointment – Customer		6.25		5		5.26		6.9		12.5	
PR-4-04-3341	% Missed Appointment – Verizon – Dispatch	6.25	0	0	0	0	0	0	0	0	0	
PR-4-05-3341	% Missed Appointment – Verizon – No Dispatch	0	0	0	NA	0	NA	0	0	0	NA	1,4
PR-6 - Installation Quality												
PR-6-01-3341	% Install. Troubles Reported within 30 Days	4.05	12.5	4.23	17.5	4.23	5	3.98	6.06	5.24	6.9	
PR-6-03-3341	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		18.75		30		35		21.21		6.9	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3341	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3341	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Loops												
PR-4 - Missed Appointments												
PR-4-02-3342	Average Delay Days – Total	NA	NA	10.67	NA	5	NA	NA	4	1	2	4,5
PR-4-03-3342	% Missed Appointment – Customer		5.06		6.74		11.11		1.69		1.15	
PR-4-04-3342	% Missed Appointment – Verizon – Dispatch		0		0		0		0		1.16	
PR-4-14-3342	% Completed On Time (with Serial Number)		98.63		96.97		95.95		98.36		98.88	
PR-6 - Installation Quality												
PR-6-01-3342	% Install. Troubles Reported within 30 Days	4.05	4.94	4.23	4.49	4.23	6.94	3.98	1.61	5.24	5.56	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-6-03-3342	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		4.94		4.49		4.17		9.68		8.89	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3342	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3342	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Line Sharing												
PR-3 - Completed within X Days												
PR-3-03-3343	% Completed in 3 Days (1-5 Lines - No Dispatch)	99.85	100	100	100	99.7	100	100	100	99.58	94.12	
PR-4 - Missed Appointments												
PR-4-02-3343	Average Delay Days – Total	1	1	1.75	NA	2.25	NA	NA	NA	2.14	17	1,5
PR-4-03-3343	% Missed Appointment – Customer		0		0		0		0		0	
PR-4-04-3343	% Missed Appointment – Verizon – Dispatch	0	25	0	0	1.96	0	0	0	3.92	33.33	1,2,3,4,5
PR-4-05-3343	% Missed Appointment – Verizon – No Dispatch	0.32	0	0.22	0	0.22	0	0	0	0.53	0	
PR-6 - Installation Quality												
PR-6-01-3343	% Install. Troubles Reported within 30 Days	0.4	0	0.51	0	0.63	0	0.23	0	0.5	4.35	
PR-6-03-3343	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		13.64		5.71		0		0		4.35	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3343	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3343	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Line Splitting												
PR-4 - Missed Appointments												
PR-4-04-3345	% Missed Appointment – Verizon – Dispatch	0	NA	0	NA	1.96	NA	0	NA	3.92	NA	
PR-4-05-3345	% Missed Appointment – Verizon – No Dispatch	0.32	NA	0.22	NA	0.22	NA	0	NA	0.53	NA	
PR-5 - Facility Missed Orders												

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-5-01-3345	% Missed Appointment - Verizon Facilities	1.82	NA	3.13	NA	1.89	NA	0	NA	0	NA	
PR-6 - Installation Quality												
PR-6-01-3345	% Install. Troubles Reported within 30 Days	0.4	NA	0.51	NA	0.63	NA	0.23	NA	0.5	NA	
PR-6-03-3345	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		NA		NA		NA		NA		NA	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3345	Open Orders in a Hold Status > 30 Days	0	NA	0	NA	0	NA	0	NA	0	NA	
Special Services - Provisioning												
PR-4 - Missed Appointments												
PR-4-01-3210	% Missed Appointment – Verizon – DS0	0	NA	7.14	NA	10	NA	0	NA	4.17	NA	
PR-4-01-3211	% Missed Appointment – Verizon – DS1	11.11	15.56	16.67	9.62	14.89	5.26	19.57	20.69	10.53	22.86	
PR-4-01-3213	% Missed Appointment – Verizon – DS3	NA	0	100	NA	NA	NA	50	NA	100	NA	1
PR-4-01-3214	% Missed Appointment – Verizon – Special Other	14.29	NA	0	NA	0	NA	0	NA	0	NA	
PR-4-01-3510	% Missed Appointment – Verizon – Total - EEL	11.11	50	16.67	33.33	14.89	0	19.57	100	10.53	NA	1,2,3,4
PR-4-01-3530	% Missed Appointment – Verizon – Total-IOF	NA	0	100	22.22	NA	4	50	40	100	12.5	4,5
PR-4-02-3200	Average Delay Days – Total	6.67	4.86	16.2	4	5	6.5	10.8	1.83	9.25	7.25	1,2,3,4,5
PR-4-02-3510	Average Delay Days – Total - EEL	8	23	21.33	49	5	NA	9.78	2	3	NA	1,2,4
PR-4-02-3530	Average Delay Days – Total - IOF	NA	NA	2	21	NA	18	20	15	30	18	2,3,4,5
PR-4-03-3200	% Missed Appointment – Customer		51.56		47.54		68.25		29.41		44.19	
PR-4-03-3510	% Missed Appointment – Customer - EEL		50		33.33		100		0		NA	2,3,4
PR-4-03-3530	% Missed Appointment – Customer - IOF								60		62.5	4,5
PR-4-08-3200	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0		0	
PR-6 - Installation Quality												
PR-6-01-3200	% Installation Troubles reported within 30 Days	2.48	10.29	10.87	6.25	10.48	3.03	9.84	11.43	10.2	2.33	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-6-03-3200	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		0		0		0		0	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3200	Open Orders in a Hold Status > 30 Days	5.88	0	0	0	0	0	0	0	0	0	
PR-8-02-3200	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
UNE (Maintenance) - POTS/Special Services												
Maintenance - POTS Loop												
MR-2 - Trouble Report Rate												
MR-2-02-3550	Network Trouble Report Rate – Loop	0.57	0.24	0.8	0.35	0.89	0.43	0.99	0.5	1.32	0.47	
MR-2-03-3550	Network Trouble Report Rate – Central Office	0.05	0.06	0.06	0.08	0.07	0.09	0.07	0.05	0.07	0.06	
MR-2-04-3550	% Subsequent Reports		45.34		44.35		47.2		42.05		45.92	
MR-2-05-3550	% CPE/TOK/FOK Trouble Report Rate		0.36		0.45		0.44		0.39		0.41	
MR-3 - Missed Repair Appointments												
MR-3-01-3550	% Missed Repair Appointment – Loop	7.81	1.41	7.91	0.95	15.36	3.17	9.76	1.33	15.09	0	
MR-3-02-3550	% Missed Repair Appointment – Central Office	6.12	0	6.31	0	4.85	4	3.19	15.38	9.83	NA	4
MR-3-03-3550	% CPE/TOK/FOK - Missed Appointment		4.76		3.73		3.91		3.45		3.97	
MR-4 - Trouble Duration Intervals												
MR-4-01-3550	Mean Time To Repair – Total	18.41	11.69	16.65	11.67	21.57	14.35	19.01	11.88	23.28	11.13	
MR-4-02-3550	Mean Time To Repair – Loop Trouble	19.6	12.97	17.49	12.41	22.89	15.18	20.03	12.09	24.04	11.12	
MR-4-03-3550	Mean Time To Repair – Central Office Trouble	6.11	6.36	5.86	8.31	5.44	10.16	4.86	8.76	7.72	4.05	
MR-5 - Repeat Trouble Reports												
MR-5-01-3550	% Repeat Reports within 30 Days	13.3	11.36	12.63	17.19	12.6	14.57	13.47	17.07	14.8	13.84	
Maintenance - POTS Platform												
MR-2 - Trouble Report Rate												
MR-2-02-3140	Network Trouble Report Rate – Platform	0.57	0.25	0.8	0.32	0.89	0.56	0.99	0.45	1.32	0.55	
MR-2-03-3140	Network Trouble Report Rate – Central Office	0.05	0.08	0.06	0.02	0.07	0.18	0.07	0.05	0.07	0	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-2-04-3140	% Subsequent Reports		7.14		6.67		6.45		4.55		14.29	
MR-2-05-3140	% CPE/TOK/FOK Trouble Report Rate		0.53		0.45		0.48		0.57		0.6	
MR-3 - Missed Repair Appointments												
MR-3-01-3144	% Missed Repair Appointment – Platform Bus.	10.28	11.11	9.13	0	19.8	10.53	12.42	6.25	22	4.76	
MR-3-01-3145	% Missed Repair Appointment – Platform Res.	7.4	0	7.74	0	14.64	0	9.37	0	14.05	33.33	1,2,3,4,5
MR-3-02-3144	% Missed Repair Appointment – Central Office Bus.	9.38	0	9.09	0	4.72	0	4.93	0	15.79	NA	1,2,3,4
MR-3-02-3145	% Missed Repair Appointment – Central Office Res.	5.07	NA	5.39	NA	4.9	NA	2.51	NA	7.85	NA	
MR-4 - Trouble Duration Intervals												
MR-4-01-3140	Mean Time To Repair – Total	18.41	8.85	16.65	9.79	21.57	9.56	19.01	10.6	23.28	14.96	
MR-4-04-3140	% Cleared (all troubles) within 24 Hours	74	84.62	77.77	100	65.17	89.66	71.65	95.24	62.54	87.5	
MR-4-06-3140	% Out of Service > 4 Hours	78.48	55.56	77.91	50	82.36	52.17	81.33	60	85.72	60	
MR-4-07-3140	% Out of Service > 12 Hours	57.15	33.33	51.32	50	64.59	26.09	60.25	33.33	65.14	45	
MR-5 - Repeat Trouble Reports												
MR-5-01-3140	% Repeat Reports within 30 Days	13.3	15.38	12.63	14.29	12.6	6.9	13.47	14.29	14.8	16.67	
2-Wire Digital Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3341	Network Trouble Report Rate - Loop	0.57	0.79	0.8	1.79	0.89	0.76	0.9831	0.62	1.32	0.98	
MR-2-03-3341	Network Trouble Report Rate - Central Office	0.06	0.26	0.06	0.38	0.07	0.25	0.0721	0.25	0.07	0.25	
MR-2-04-3341	% Subsequent Reports		20		10.53		11.11		22.22		28.57	
MR-3 - Missed Repair Appointments												
MR-3-01-3341	% Missed Repair Appointment – Loop	7.84	0	7.93	0	15.39	0	9.8	0	15.13	0	1,3,4,5
MR-3-02-3341	% Missed Repair Appointment – Central Office	6.42	0	6.59	0	5.29	0	3.51	0	10.15	0	1,2,3,4,5
MR-4 - Trouble Duration Intervals												
MR-4-01-3341	Mean Time To Repair - Total	18.36	9.47	16.64	7	21.55	5.42	19	11.45	23.27	6.32	1,3,4
MR-4-02-3341	Mean Time To Repair - Loop Trouble	19.56	10.83	17.49	7.43	22.88	5.9	20.04	11.25	24.04	7.53	1,3,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-03-3341	Mean Time To Repair - Central Office Trouble	6.25	5.39	6.02	4.95	5.72	3.99	4.87	11.93	7.91	1.47	1,2,3,4,5
MR-4-07-3341	% Out of Service > 12 Hours	57.01	33.33	51.26	23.08	64.51	14.29	60.18	33.33	65.15	14.29	1,3,4,5
MR-4-08-3341	% Out of Service > 24 Hours	26.5	0	21.7	0	34.6	0	28.4	0	36.54	0	1,3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-3341	% Repeat Reports within 30 Days	13.39	12.5	12.65	11.76	12.64	12.5	13.43	28.57	14.79	40	1,3,4
2-Wire xDSL Loops - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3342	Network Trouble Report Rate - Loop	0.57	0.38	0.8	0.42	0.89	0.47	0.9831	0.56	1.32	0.47	
MR-2-03-3342	Network Trouble Report Rate - Central Office	0.06	0	0.06	0.05	0.07	0	0.0721	0	0.07	0.05	
MR-3 - Missed Repair Appointments												
MR-3-01-3342	% Missed Repair Appointment – Loop	7.84	0	7.93	8.33	15.39	0	9.8	0	15.13	0	
MR-3-02-3342	% Missed Repair Appointment – Central Office	6.42	0	6.59	100	5.29	0	3.51	NA	10.15	0	1,2,3,5
MR-4 - Trouble Duration Intervals												
MR-4-02-3342	Mean Time To Repair - Loop Trouble	19.56	15.06	17.49	11.47	22.88	13.35	20.04	12.05	24.04	10.53	
MR-4-03-3342	Mean Time To Repair - Central Office Trouble	6.25	2.01	6.02	67.27	5.72	6.07	4.87	NA	7.91	1.33	1,2,3,5
MR-4-07-3342	% Out of Service > 12 Hours	57.01	57.14	51.26	33.33	64.51	27.27	60.18	50	65.15	28.57	1,4
MR-4-08-3342	% Out of Service > 24 Hours	26.5	0	21.7	11.11	34.6	27.27	28.4	0	36.54	0	1,4
MR-5 - Repeat Trouble Reports												
MR-5-01-3342	% Repeat Reports within 30 Days	13.39	9.09	12.65	30.77	12.64	0	13.43	0	14.79	20	
2-Wire xDSL Line Sharing - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3343	Network Trouble Report Rate - Loop	0.08	0	0.13	0	0.29	0.42	0.15	0.4	0.39	0.39	
MR-2-03-3343	Network Trouble Report Rate - Central Office	0.01	0	0.05	0	0.02	0	0.02	0	0.03	0	
MR-3 - Missed Repair Appointments												
MR-3-01-3343	% Missed Repair Appointment – Loop	0	NA	18.18	NA	11.11	0	20	0	17.07	0	3,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-02-3343	% Missed Repair Appointment – Central Office	20	NA	22.22	NA	16.67	NA	0	NA	0	0	5
MR-4 - Trouble Duration Intervals												
MR-4-02-3343	Mean Time To Repair - Loop Trouble	15.19	NA	21.44	NA	18.97	27	26.14	23.13	21.95	26.42	3,4,5
MR-4-03-3343	Mean Time To Repair - Central Office Trouble	27.18	NA	10.94	NA	12.45	NA	13.46	NA	9.41	3.67	5
MR-4-04-3343	% Cleared (all troubles) within 24 Hours	83.33	NA	75	NA	72.73	0	64.71	100	75	50	3,4,5
MR-4-07-3343	% Out of Service > 12 Hours	75	NA	55	NA	59.38	NA	75	NA	69.05	50	5
MR-4-08-3343	% Out of Service > 24 Hours	16.67	NA	25	NA	25	NA	37.5	NA	26.19	50	5
MR-5 - Repeat Trouble Reports												
MR-5-01-3343	% Repeat Reports within 30 Days	58.33	NA	60	NA	57.58	100	70.59	0	50	50	3,4,5
2-Wire xDSL Line Splitting - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3345	Network Trouble Report Rate - Loop	0.08	NA	0.13	NA	0.29	NA	0.15	NA	0.39	NA	
MR-2-03-3345	Network Trouble Report Rate - Central Office	0.01	NA	0.05	NA	0.02	NA	0.02	NA	0.03	NA	
MR-2-04-3345	% Subsequent Reports		NA		NA		NA		NA		NA	
MR-2-05-3345	% CPE/TOK/FOK Trouble Report Rate		NA		NA		NA		NA		NA	
MR-3 - Missed Repair Appointments												
MR-3-01-3345	% Missed Repair Appointment – Loop	0	NA	18.18	NA	11.11	NA	20	NA	17.07	NA	
MR-3-02-3345	% Missed Repair Appointment – Central Office	20	NA	22.22	NA	16.67	NA	0	NA	0	NA	
MR-3-03-3345	%CPE/TOK/FOK - Missed Appointment		NA		NA		NA		NA		NA	
MR-4 - Trouble Duration Intervals												
MR-4-02-3345	Mean Time To Repair - Loop Trouble	15.19	NA	21.44	NA	18.97	NA	26.14	NA	21.95	NA	
MR-4-03-3345	Mean Time To Repair - Central Office Trouble	27.18	NA	10.94	NA	12.45	NA	13.46	NA	9.41	NA	
MR-5 - Repeat Trouble Reports												
MR-5-01-3345	% Repeat Reports within 30 Days	58.33	NA	60	NA	57.58	NA	70.59	NA	50	NA	
Special Services - Maintenance												
MR-2 - Trouble Report Rate												

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-2-01-3200	Network Trouble Report Rate	0.16	1.61	0.21	2.51	0.32	3.08	0.31	2.71	0.36	1.86	
MR-2-05-3200	% CPE/TOK/FOK Trouble Report Rate		1.13		1.95		1.54		1.84		2.33	
MR-4 - Trouble Duration Intervals												
MR-4-01-3216	Mean Time To Repair – Total - Non DS0 & DS0	5.7	NA	5.08	NA	4.52	NA	6.43	NA	6.64	NA	
MR-4-01-3217	Mean Time To Repair – Total - DS1 & DS3	5.25	5.58	5.84	5.57	7.69	6.91	6.37	7.21	5.89	7.56	
MR-5 - Repeat Trouble Reports												
MR-5-01-3200	% Repeat Reports within 30 Days	29.59	29.41	15.87	22.22	17.61	18.75	21.79	7.14	29.76	15	
Trunks (Aggregate) - POTS/Special Services												
ORDERING												
OR.1 - Order Confirmation Timeliness												
OR-1-12-5020	% On Time FOC (<= 192 Forecasted Trunks)		NA		100		NA		100		100	2,4,5
OR-1-12-5030	% On Time FOC (> 192 and Unforecasted Trunks)		100		100		100		26.67		100	1,5
OR-1-13-5020	% On Time Design Layout Record (DLR)		100		100		100		100		NA	1,2,3,4
OR-1-19-5020	% On Time Resp. - Request for Inbound Augment Trunks (<= 192 Forecasted Trunks)		100		100		100		100		NA	1,2,3,4
OR-1-19-5030	% On Time Resp. - Request for Inbound Augment Trunks (> 192 Forecasted Trunks)		NA		NA		100		NA		NA	3
OR-2 - Reject Timeliness												
OR-2-12-5000	% On Time Trunk ASR Reject (<= 192 Forecasted Trunks)		NA		NA		NA		50		NA	4
PROVISIONING												
PR-1 - Average Interval Offered												
PR-1-09-5020	Av. Interval Offered – Total (<= 192 Forecasted Trunks)	17	NA	22.25	18	NA	NA	14.5	11	NA	24	2,4,5

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-1-09-5030	Av. Interval Offered – Total (> 192 & Unforecasted Trunks)	12	9	21.2	16	19.2	23.83	30.67	NA	23.31	17	1,2,3,5
PR-4 - Missed Appointment												
PR-4-01-5000	% Missed Appointment – Verizon – Total	0	0	0	0	0	0					
PR-4-02-5000	Average Delay Days - Total	NA	NA	NA	NA	NA	NA		NA		NA	
PR-4-03-5000	% Missed Appointment – Customer		34.62		7.14		61.19		31.82		16.67	
PR-4-07-3540	% On Time Performance – LNP Only		99.82		99.73		99.81		99.49		100	
PR-4-15-5000	% On Time Provisioning - Trunks								100		100	
PR-5 - Facility Missed Orders												
PR-5-01-5000	% Missed Appointment – Verizon – Facilities	0	0	0	0	0	0	0	0	0	0	
PR-5-02-5000	% Orders Held for Facilities > 15 Days	0	0	0	0	0	0	0	0	0	0	
PR-5-03-5000	% Orders Held for Facilities > 60 Days	0	0	0	0	0	0	0	0	0	0	
PR-6 - Installation Quality												
PR-6-01-5000	% Installation Troubles reported within 30 Days	0	0	0	0	0	0	0	0	0.07	0	
PR-6-03-5000	% Inst. Troubles reported within 30 Days - FOK/TOK/CPE		0		0		0		0		0	
MAINTENANCE												
MR-2 - Trouble Report Rate												
MR-2-01-5000	Network Trouble Report Rate	0	0	0	0	0	0	0	0	0	0	
MR-4 - Trouble Duration Intervals												
MR-4-01-5000	Mean Time To Repair – Total	1.52	1.6	NA	1.53	NA	0.47	NA	NA	5.48	NA	1,2,3
MR-4-04-5000	% Cleared (all troubles) within 24 Hours	100	100	NA	100	NA	100	NA	NA	100	NA	1,2,3
MR-4-05-5000	% Out of Service > 2 Hours	0	0	NA	0	NA	0	NA	NA	100	NA	1,2,3
MR-4-06-5000	% Out of Service > 4 Hours	0	0	NA	0	NA	0	NA	NA	100	NA	1,2,3
MR-4-07-5000	% Out of Service > 12 Hours	0	0	NA	0	NA	0	NA	NA	0	NA	1,2,3
MR-4-08-5000	% Out of Service > 24 Hours	0	0	NA	0	NA	0	NA	NA	0	NA	1,2,3
MR-5 - Repeat Trouble Report Rates												
MR-5-01-5000	% Repeat Reports within 30 Days	50	0	NA	0	NA	0	NA	NA	0	NA	1,2,3

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NETWORK PERFORMANCE												
NP-1 - Percent Final Trunk Group Blockage												
NP-1-02-5000	% FTG Exceeding Blocking Std. –(No Exceptions)	0	0	0	0	2.04	3.13	0	3.33	0	0	
NP-1-03-5000	Number FTG Exceeding Blocking Std. – 2 Months		0		0		0		0		0	
NP-1-04-5000	Number FTG Exceeding Blocking Std. – 3 Months		0		0		0		0		0	
NP-2 - Collocation Performance - New												
NP-2-01-6701	% On Time Response to Request for Physical Collocation		100		NA		NA		NA		100	1
NP-2-02-6701	% On Time Response to Request for Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-03-6701	Average Interval – Physical Collocation		70		NA		76		NA		76	
NP-2-04-6701	Average Interval – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-05-6701	% On Time – Physical Collocation		100		NA		100		NA		100	1,3,5
NP-2-06-6701	% On Time – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-07-6701	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6701	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2 - Collocation Performance - Augment												
NP-2-01-6702	% On Time Response to Request for Physical Collocation		100		NA		100		100		100	1,3,4,5
NP-2-02-6702	% On Time Response to Request for Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-03-6702	Average Interval – Physical Collocation - 76 Days		64		58		58.33		NA		NA	
NP-2-03-6712	Average Interval – Physical Collocation - 45 Days		NA		NA		NA		NA		NA	
NP-2-04-6702	Average Interval – Virtual Collocation		NA		NA		NA		NA		NA	

NEW HAMPSHIRE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NP-2-05-6702	% On Time – Physical Collocation - 76 Days		100		100		100		NA		NA	1,2,3
NP-2-05-6712	% On Time – Physical Collocation - 45 Days		NA		NA		NA		NA		NA	
NP-2-06-6702	% On Time – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-07-6702	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6702	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	

Abbreviations: NA = No Activity.
UD = Under Development.
NEF = No Existing Functionality
blank cell = No data provided.

VZ = Verizon retail analog. If no data was provided, the metric may have a benchmark.

Notes:
1 = Sample Size under 10 for February.
2 = Sample Size under 10 for March.
3 = Sample Size under 10 for April.
4 = Sample Size under 10 for May.
5 = Sample Size under 10 for June.

Appendix C

Massachusetts Performance Metrics

All data included here are taken from the Massachusetts Carrier-to-Carrier Reports. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics nor that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development). Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided, there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare the data over time.

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
Preorder and OSS Availability:	
OR-1-02	% On Time LSRC - Flow Through
OR-1-04	% On Time LSRC (Electronic - No Flow Through)
OR-1-06	% On Time LSRC (Electronic - No Flow Through)
OR-1-08	% On Time LSRC (Fax)
OR-1-10	% On Time LSRC Lines (Fax)
OR-1-12	% On Time FOC <= 192 Forecasted Trunks
OR-1-13	% On Time Design Layout Record (DLR)
OR-1-19	% On Time Resp. - Request for Inbound Augment Trunks
PO-1-01	Average Response Time – Customer Service Record
PO-1-02	Average Response Time - Due Date Availability
PO-1-03	Average Response Time - Address Validation
PO-1-04	Average Response Time - Product and Service Availability
PO-1-05	Average Response Time - Telephone Number Availability and Reservation
PO-1-06	Average Response Time - Facility Availability - (ADSL Loop Qualification)
PO-1-07	Average Response Time - Rejected Query
PO-1-08	% Timeouts
PO-1-09	Parsed CSR
PO-2-02	OSS Interface Availability – Prime Time - EDI - Pre-Ordering
PO-2-03	OSS Interface Availability – Non-Prime Time - Electronic Bonding - Maintenance
PO-4-01	% Change Management Notices sent on Time
PO-5-01	Average Notice of Interface Outage
PO-6-01	Software Validation
PO-7-01	% Software Problem Res. Timeliness
PO-7-02	Delay Hrs. - S/W Res. - Change - Xactions Failed, No Workaround

Metric Number	Metric Name
Ordering:	
OR-2-02	% On Time LSR Reject - Flow Through
OR-2-04	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-06	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-08	% On Time LSR Reject (Fax)
OR-2-10	% On Time LSR Reject (Fax)
OR-2-12	% On Time Trunk ASR Reject <= 192 Forecasted Trunks
OR-3-01	% Rejects
OR-3-02	% Resubmission Not Rejected
OR-4-11	% Completed orders *with neither* a PCN nor BCN sent
OR-4-16	% Provisioning Completion Notifiers sent within one (1) Business Day
OR-4-17	% Billing Completion Notifier sent within two (2) Business Days
OR-5-01	% Flow Through - Total
OR-5-03	% Flow Through Achieved
OR-6-01	% Accuracy - Orders
OR-6-03	% Accuracy – Local Service Confirmation
OR-7-01	% Order Confirmations/Rejects Sent Within 3 Business Days
Provisioning:	
PR-1-09	Average Interval Offered – Total
PR-3-03	% Completed in 3 Days (1-5 Lines - No Dispatch)
PR-3-08	% Completed in 5 Days (1-5 Lines – No Dispatch)
PR-4-01	% Missed Appt. – VZ – Total
PR-4-02	Average Delay Days – Total
PR-4-03	% Missed Appt. – Customer
PR-4-04	% Missed Appt. – VZ – Dispatch

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
PO-7-03	Delay Hrs. - S/W Res. - Change - Xactions Failed, With Workaround
PO-7-04	Delay Hrs. - Failed/Rejected Test Deck - Xactions Failed, No W/A
PO-8-01	% On Time - Manual Loop Qualification
PO-8-02	% On Time - Engineering Record Request
MR-1-01	Average Response Time - Create Trouble - Electronic Bonding
MR-1-02	Average Response Time - Status Trouble - Electronic Bonding
MR-1-03	Average Response Time - Modify Trouble - Electronic Bonding
MR-1-04	Average Response Time - Request Cancellation of Trouble - Electronic Bonding
MR-1-05	Average Response Time - Trouble Report History (by TN/Circuit) - Electronic Bonding
MR-1-06	Average Response Time - Test Trouble (POTS Only) - Electronic Bonding
Change Management, Billing, OS/DA, Interconnection and Collocation:	
BI-1-02	% DUF in 4 Business Days
BI-2-01	Timeliness of Carrier Bill - Paper Bills
BI-3-04	% CLEC Billing Claims Acknowledged within 2 Business Days
BI-3-05	% CLEC Billing Claims Resolved within 28 Calendar Days After Acknowledgment
NP-2-01	% On Time Response to Request for Physical Collocation
NP-2-02	% On Time Response to Request for Virtual Collocation
NP-2-03	Average Interval – Physical Collocation
NP-2-04	Average Interval – Virtual Collocation
NP-2-05	% On Time – Physical Collocation

Metric Number	Metric Name
PR-4-05	% Missed Appt. – VZ – No Dispatch
PR-4-07	% On Time Performance - LNP
PR-4-08	% Missed Appt. – Customer – Due to Late Order Confirmation
PR-4-14	% Completed on Time
PR-5-03	% Orders Held for Facilities > 60 Days
PR-6-01	% Installation Troubles reported within 30 Days
PR-6-03	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE
PR-8-01	% Open Orders in a Hold Status > 30 Days
PR-8-02	% Open Orders in a Hold Status > 90 Days
PR-9-01	% On Time Performance - Hot Cuts - Loop
PR-3-01	% Completed in 1 Day (1-5 Lines - No Dispatch)
PR-3-06	% Completed in 3 Days (1-5 Lines - Dispatch)
PR-3-09	% Completed in 5 Days (1-5 Lines – Dispatch)
PR-5-01	% Missed Appointment – Verizon – Facilities
PR-5-02	% Orders Held for Facilities > 15 Days
Maintenance and Repair:	
MR-2-01	Network Trouble Report Rate
MR-2-02	Network Trouble Report Rate – Loop
MR-2-03	Network Trouble Report Rate – Central Office
MR-2-04	% Subsequent Reports

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
NP-2-06	% On Time – Virtual Collocation
NP-2-07	Average Delay Days – Physical Collocation
NP-2-08	Average Delay Days – Virtual Collocation
NP-1-02	% FTG Exceeding Blocking Standard (No Exceptions) - Final Trunks
NP-1-03	Number Dedicated FTG Exceeding Blocking Standard – 2 Months
NP-1-04	Number Dedicated FTG Exceeding Blocking Standard – 3 Months

Metric Number	Metric Name
MR-2-05	% CPE/TOK/FOK Trouble Report Rate
MR-3-01	% Missed Repair Appointment – Loop
MR-3-02	% Missed Repair Appointment – Central Office
MR-3-03	% Missed Repair Appointment — CPE /TOK/FOK
MR-4-01	Mean Time To Repair – Total
MR-4-02	Mean Time to Repair - Loop Trouble
MR-4-03	Mean Time To Repair – Central Office Trouble
MR-4-04	% Cleared (all troubles) within 24 Hours
MR-4-05	% Out of Service > 2 Hours
MR-4-06	% Out of Service > 4 hours
MR-4-07	% Out of Service > 12 hours
MR-4-08	% Out of Service > 24 Hours
MR-5-01	% Repeat Reports within 30 Days

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OSS & BILLING (Pre-Ordering) - POTS/Special Services												
PRE-ORDERING												
PO-1 - Response Time OSS Pre-Ordering Interface												
PO-1-01-6020	Customer Service Record - EDI	1.3	2.81	1.32	3.08	1.34	3.47	1.29	3.08	0.76	2.77	
PO-1-01-6030	Customer Service Record - CORBA	1.3	0.8	1.32	1.32	1.34	0.96	1.29	0.78	0.76	0.98	
PO-1-01-6050	Customer Service Record -Web GUI	1.3	2.45	1.32	2.53	1.34	2.4	1.29	3.2	0.76	2.56	
PO-1-02-6020	Due Date Availability - EDI	0.06	2.31	0.07	2.27	0.07	2.58	0.1	2.68	0.06	2.48	
PO-1-02-6030	Due Date Availability - CORBA	0.06	0.57	0.07	0.59	0.07	0.6	0.1	0.74	0.06	0.58	1
PO-1-02-6050	Due Date Availability - Web GUI	0.06	2.15	0.07	2.17	0.07	2.14	0.1	2.62	0.06	2.23	
PO-1-03-6020	Address Validation - EDI	3.96	4.95	3.98	5.21	4.67	5.08	4.92	5.22	4.4	5.97	
PO-1-03-6030	Address Validation - CORBA	3.96	2.57	3.98	2.74	4.67	2.76	4.92	2.76	4.4	2.65	
PO-1-03-6050	Address Validation - Web GUI	3.96	5.18	3.98	5.16	4.67	5.4	4.92	5.75	4.4	5.33	
PO-1-04-6020	Product & Service Availability - EDI	8.44	NA	8.53	NA	9.26	6.27	10.69	NA	8.8	NA	3
PO-1-04-6030	Product & Service Availability - CORBA	8.44	NA	8.53	NA	9.26	NA	10.69	NA	8.8	NA	
PO-1-04-6050	Product & Service Availability - Web GUI	8.44	5.38	8.53	6.28	9.26	5.89	10.69	6.39	8.8	6.81	
PO-1-05-6020	Telephone Number Availability & Reservation - EDI	4.78	6.5	4.77	7.68	5.6	8.06	6.06	7.22	5.37	4.9	
PO-1-05-6030	Telephone Number Availability & Reservation - CORBA	4.78	3.95	4.77	4.46	5.6	4.95	6.06	4.19	5.37	4.38	
PO-1-05-6050	Telephone Number Availability & Reservation - Web GUI	4.78	5.82	4.77	5.99	5.6	7.04	6.06	7	5.37	6.15	
PO-1-06-6020	Average Response Time - Mechanized Loop Qualification - DSL - EDI	4.35	3.72	8.18	3.94	8.02	4.07	7.67	4.87	13.74	4.63	
PO-1-06-6030	Average Response Time - Mechanized Loop Qualification - DSL - CORBA	4.35	1.9	8.18	NA	8.02	NA	7.67	NA	13.74	NA	
PO-1-06-6050	Average Response Time - Mechanized Loop Qualification - DSL - Web GUI	4.35	4	8.18	4.07	8.02	4.18	7.67	4.65	13.74	3.91	
PO-1-07-6020	Rejected Query - EDI	0.04	2.26	0.04	2.3	0.03	2.44	0.03	2.48	0.04	2.4	
PO-1-07-6030	Rejected Query - CORBA	0.04	0.58	0.04	0.57	0.03	0.59	0.03	0.59	0.04	0.58	
PO-1-07-6050	Rejected Query - Web GUI	0.04	2.87	0.04	2.75	0.03	3	0.03	3.54	0.04	2.81	
PO-1-08-6020	% Timeouts - EDI		0.02		0.01		0.77		0.01		0.05	
PO-1-08-6030	% Timeouts - CORBA		0		0		0		0		0	
PO-1-08-6050	% Timeouts - Web GUI		0.04		0.08		0.02		1.81		0.04	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-1-09-6020	Parsed CSR - EDI	1.3	1.81	1.32	1.87	1.34	1.89	1.29	1.89	0.76	1.89	
PO-1-09-6030	Parsed CSR - CORBA	1.3	0.35	1.32	0.35	1.34	0.37	1.29	0.34	0.76	0.37	
PO-2 - OSS Interface Availability*												
PO-2-02-6020	OSS Interf. Avail. – Prime Time – EDI		100		100		100		100		100	
PO-2-02-6030	OSS Interf. Avail. – Prime Time – CORBA		100		100		100		100		100	
PO-2-02-6040	OSS Interf. Avail. – Prime Time – Maint. Web GUI (RETAS)											
PO-2-02-6050	OSS Interf. Avail. – Prime Time – Pre-order/Order WEB GUI											
PO-2-02-6060	OSS Interf. Avail. – Prime Time – Electronic Bonding		100		100		100		100		100	
PO-2-02-6080	OSS Interf. Avail. – Prime Time – Maint./Web GUI/Pre-Order/Ordering WEB GUI		99.84		99.69		99.87		100		99.75	1,2,3,5
PO-2-03-6020	OSS Interf. Avail. – Non-Prime – EDI		99.73		99.2		99.54		99.51		99.26	1,2,3,4,5
PO-2-03-6030	OSS Interf. Avail. – Non-Prime – CORBA		99.83		99.78		99.92		99.84		99.8	1,2,3,4,5
PO-2-03-6040	OSS Interf. Avail. – Non-Prime – Maint. Web GUI (RETAS)		99.08		99.78		97.85					1,2,3
PO-2-03-6050	OSS Interf. Avail. – Non-Prime – Pre-order/Order WEB GUI		99.08		99.78		97.85					1,2,3
PO-2-03-6060	OSS Interf. Avail – Non-Prime – Electronic Bonding		100		100		100		100		100	
PO-2-03-6080	OSS Interf. Avail. – Non-Prime – Maint Web GUI/PreOrder/Ordering WEB GUI								98.98		99.89	4,5
PO-5 - Average Notification of Interface Outage												
PO-5-01-2000	Average Notice of Interface Outage*		15		15		NA		NA		20	1,2,5
PO-6 - Software Validation												
PO-6-01-2000	Software Validation		0		R3		R3		R3		0	
PO-7 - Software Problem Resolution Timeliness												
PO-7-01-2000	% Software Problem Res. Timeliness**		NA		NA		NA		R3		NA	
PO-7-02-2000	Delay Hrs. - S/W Res. - Change - Xactions Failed, No Workaround**		NA		NA		NA		NA		NA	
PO-7-03-2000	Delay Hrs. - S/W Res. - Change - Xactions Failed, With Workaround**		NA		NA		NA		NA		NA	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-7-04-2000	Delay Hrs. - Failed/Rejected Test Deck - Xactions Failed, No W/A***		NA		NA		NA		NA		NA	
PO-8 - Manual Loop Qualification												
PO-8-01-2000	% On Time - Manual Loop Qualification		100		100		90		100		NA	1,2,4
PO-8-02-2000	% On Time - Engineering Record Request		NA		NA		NA		NA		NA	
Change Notification*												
PO-4 - Timeliness of Change Management Notice												
PO-4-01-6660	% Notices Sent on Time - Industry Standard, Verizon Orig. & CLEC Orig.		100		NA		100		NA		100	1,5
PO-4-01-6671	% Notices Sent on Time - Emergency Maint. & Regulatory		100		100		100		100		100	1,2,5
Change Confirmation*												
PO-4 - Timeliness of Change Management Notice												
PO-4-01-6622	% Notices Sent on Time - Regulatory		NA		NA		NA		100		NA	
PO-4-01-6662	% Notices Sent on Time - Ind. Std., Verizon Orig. & CLEC Orig.		NA		NA		NA		100		100	5
TROUBLE REPORTING (OSS)												
MR-1 - Response Time OSS Maintenance Interface												
MR-1-01-2000	Create Trouble	7.75	3.54	8.11	3.47	8.74	3.55	8.61	3.61	8.39	3.49	
MR-1-02-2000	Status Trouble	4.65	3.42	4.63	5.14	4.35	4.6	4.19	3.18	3.98	4.18	
MR-1-03-2000	Modify Trouble	7.51	NA	7.82	NA	8.34	0.38	8.35	NA	8.14	NA	3
MR-1-04-2000	Request Cancellation of Trouble	9.01	6.15	9.34	4.28	9.86	4.98	9.86	4.67	9.51	5.09	2
MR-1-05-2000	Trouble Report History (by TN/Circuit)	0.32	0.98	0.29	0.92	0.32	0.81	0.27	0.79	0.3	0.85	
MR-1-06-2000	Test Trouble (POTS Only)	55.33	45.61	54.01	45.72	54.96	42.34	53.12	45.16	53.94	48.84	
BILLING												
BI-1 - Timeliness of Daily Usage Feed												
BI-1-02-2030	% DUF in 4 Business Days		99.77		99.41		99.65		99.72		99.55	
BI-2 - Timeliness of Carrier Bill												
BI-2-01-2030	Timeliness of Carrier Bill		99.49		98.29		94.97		99.7		99.41	
BI-3 - Billing Accuracy & Claims Processing												
BI-3-04-2030	% CLEC Billing Claims Acknowledged within 2 Business Days		62.77		98.61		100		100		100	
BI-3-05-2030	% CLEC Billing Claims Resolved within 28 Calendar Days After Acknowledgment		63.06		91.23		62.26		94.34		55.46	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
Resale (Ordering) - POTS/Special Services												
RESALE Ordering												
POTS & Pre-qualified Complex - Electronically Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-02-2320	% On Time LSRC – Flow Through		99.92		99.72		99.89		99.8		99.47	
OR-1-04-2100	% On Time LSRC No Facility Check		99.32		99.53		99.68		99.85		99.72	
OR-1-06-2320	% On Time LSRC/ASRC Facility Check		99.68		100		99.21		99.39		99.01	
OR-2 - Reject Timeliness												
OR-2-02-2320	% On Time LSR Reject – Flow Through		100		99.86		100		100		99.9	
OR-2-04-2320	% On Time LSR Reject No Facility Check		98.53		99.54		99.93		99.84		100	
OR-2-06-2320	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
2 Wire Digital Services												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-2341	% On Time LSRC No Facility Check		98.15		100		98.59		100		100	
OR-1-06-2341	% On Time LSRC/ASRC Facility Check		100		100		100		100		100	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2341	% On Time LSR Reject No Facility Check		100		100		100		100		100	
OR-2-06-2341	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	1,3,5
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-2000	% Rejects		29.72		31.19		30.09		29.44		30.24	
OR-3-02-2000	% Resubmission Not Rejected		NA		NA		95.38		NA		NA	
OR-4 - Timeliness of Completion Notification												
OR-4-11-2000	% Completed orders with neither a PCN nor BCN sent		UD		0.24		0.17		0.27		0.1	
OR-4-16-2000	% Provisioning Completion Notifiers sent within one (1) Business Day		UD		74.1		87.64		96.91		97.2	
OR-4-17-2000	% Billing Completion Notifier sent within two (2) Business Days		UD		95.25		95.58		93.52		96.1	
OR-5 - Percent Flow-Through												
OR-5-01-2000	% Flow Through - Total		54		50.7		49.27		54.46		50.33	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-5-03-2000	% Flow Through Achieved		94.73		95.94		95.49		97.5		96.58	
OR-6 - Order Accuracy												
OR-6-01-2000	% Accuracy – Orders*		96.76		95.98		95.38		99.19		99.19	
OR-6-03-2000	% Accuracy – LSRC****		0.04		0.1		0.21		0.06		0.08	
OR-7 - Order Completeness												
OR-7-01-2000	% Order Confirmation/Rejects sent within 3 Business Days		99.5		99.63		99.64		99.67		99.38	
Special Services - Electronically Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2210	% On Time LSRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-04-2211	% On Time LSRC No Facility Check DS1		NA		NA		NA		NA		NA	
OR-1-04-2213	% On Time LSRC No Facility Check DS3		NA		NA		NA		NA		NA	
OR-1-04-2214	% On Time LSRC No Facility Check (Non DS0, DS1, & DS3)		100		99.12		99.6		98.52		100	
OR-1-06-2210	% On Time LSRC/ASRC Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-06-2211	% On Time LSRC/ASRC Facility Check DS1		NA		NA		NA		NA		NA	
OR-1-06-2213	% On Time LSRC/ASRC Facility Check DS3		NA		NA		NA		NA		NA	
OR-1-06-2214	% On Time LSRC/ASRC Facility Check (Non DS0, DS1, & DS3)		100		100		100		100		100	
OR-2 - Reject Timeliness												
OR-2-04-2200	% On Time LSR Reject No Facility Check		100		100		99.62		100		100	
OR-2-06-2200	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
Resale (Provisioning) - POTS/Special Services												
POTS - Provisioning - Total												
PR-4 - Missed Appointments												
PR-4-02-2100	Average Delay Days – Total	2.65	1.82	2.6	2.68	2.61	1.77	2.91	2.17	3.22	2.79	
PR-4-03-2100	% Missed Appointment – Customer		2.25		2.53		3.25		2.32		3.34	
PR-4-04-2100	% Missed Appointment – Verizon – Dispatch	4.93	3.89	5.36	3.83	5.51	4.79	5.41	3.86	5.53	5.29	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-05-2100	% Missed Appointment – Verizon – No Dispatch	0.01	0	0.01	0.05	0.02	0.03	0.02	0	0.02	0.1	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-2100	% Installation Troubles reported within 30 Days	2.89	2.06	2.75	2.17	3.14	2.42	3.63	2.41	4.16	2.64	
PR-6-03-2100	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		1.57		1.59		1.76		1.73		1.68	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2100	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-2100	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
POTS & Complex Aggregate												
2-Wire Digital Services												
PR-4 - Missed Appointments												
PR-4-02-2341	Average Delay Days – Total	3.45	1	3.3	NA	4.04	2.75	4.26	1	4.87	5.67	1,3,4,5
PR-4-03-2341	% Missed Appointment – Customer		2.13		0		5.97		2.56		5.17	
PR-4-04-2341	% Missed Appointment – Verizon – Dispatch	9.04	3.64	4.31	0	4.8	12	6.02	13.33	6.88	9.52	
PR-4-05-2341	% Missed Appointment – Verizon – No Dispatch	0	0	0	0	0	0	0	0	0	0	
PR-4-08-2341	% Missed Appt. – Customer – Late Order Conf.		1.06		0		0		0		0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-2341	% Install. Troubles Reported within 30 Days	1.11	1.21	1.54	2.13	1.43	2.22	0.75	3.51	1.57	0.58	
PR-6-03-2341	% Install. Troubles Reported w/in 30 Days - FOK/TOK/CPE		1.21		1.7		7.22		1.75		1.74	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2341	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-2341	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
Special Services - Provisioning												
PR-4 - Missed Appointments												
PR-4-01-2210	% Missed Appointment – Verizon – DS0	3.89	0	5.03	0	6.41	0	3.6	5.88	10.5	5	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-01-2211	% Missed Appointment – Verizon – DS1	7.19	0	12.66	0	8.73	0	14.83	0	9.17	10	1,3
PR-4-01-2213	% Missed Appointment – Verizon – DS3	60	NA	41.67	NA	40	NA	28.57	NA	12.5	NA	
PR-4-01-2214	% Missed Appointment – Verizon – Special Other	0	0	0	0	4.88	0	6.25	0	11.11	25	1,2,3,4,5
PR-4-02-2200	Average Delay Days – Total	7.71	NA	14.22	NA	6.44	NA	5.5	1	10.13	8.33	4,5
PR-4-03-2200	% Missed Appointment – Customer		6.52		21.21		18.92		20.93		29.41	
PR-4-08-2200	% Missed Appt. – Customer – Due to Late Order Conf.		0		0		0		0		0	
PR-6- Installation Quality												
PR-6-01-2200	% Installation Troubles reported within 30 Days	2.76	1.99	2.8	3.21	5.29	5.86	9.5	1.52	8.34	4.39	
PR-6-03-2200	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		1.66		0.53		1.17		0.85		1.35	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2200	Open Orders in a Hold Status > 30 Days	0.26	0	0.37	0	0.4	0	0.83	0	0.65	0	
PR-8-02-2200	Open Orders in a Hold Status > 90 Days	0	0	0.18	0	0.13	0	0.17	0	0.22	0	
Resale (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-2 - Trouble Report Rate												
MR-3 - Missed Repair Appointments												
MR-3-01-2110	% Missed Repair Appointment – Loop Bus.	12.78	10.18	15.07	11.71	13.14	13.79	16.59	11.54	14.37	13.34	
MR-3-01-2120	% Missed Repair Appointment – Loop Res.	8.51	4.69	10.93	6.84	9.94	4.04	10.72	6.39	9.85	8	
MR-3-02-2110	% Missed Repair Appointment – Central Office Bus.	12.28	6.14	13.35	14.53	10.28	11.7	9.36	10.84	12.7	5.83	
MR-3-02-2120	% Missed Repair Appointment – Central Office Res.	6.79	5.26	5.74	3.45	6.58	3.85	7.84	0	6.93	5	
MR-3-03-2100	% CPE/TOK/FOK - Missed Appointment		5.3		5.76		5.94		8.25		11.7	
MR-4 - Trouble Duration Intervals												
MR-4-01-2100	Mean Time To Repair – Total	18.04	11.32	19.04	13.31	19.6	12.65	21.07	13.06	20.94	13.1	
MR-4-02-2110	Mean Time To Repair – Loop Trouble - Bus.	12.05	10.41	12.56	12.48	12.48	11.76	12.29	12.15	10.96	9.67	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-02-2120	Mean Time To Repair – Loop Trouble - Res.	20.36	17.07	21.5	18.57	22.01	17.07	23.68	18.21	23.51	22.82	
MR-4-03-2110	Mean Time To Repair – Central Office Trouble - Bus.	8	5.99	8.36	7.8	7.62	7.09	7.44	6.2	7.8	6.73	
MR-4-03-2120	Mean Time To Repair – Central Office Trouble - Res.	9.61	6.04	9.13	8.83	10.32	8.06	10.79	6.67	11.33	14.65	
MR-4-04-2100	% Cleared (all troubles) within 24 Hours	77.03	90.61	74.6	86.43	73.89	88.86	69.12	86.23	67.45	85.96	
MR-4-06-2100	% Out of Service > 4 Hours	77.2	62.13	79.01	63.32	78.88	66.34	82.61	68.29	78.39	69.05	
MR-4-07-2100	% Out of Service > 12 Hours	57.2	36.65	57.8	38.26	58.23	40.61	62.79	41.33	60.04	41.55	
MR-4-08-2110	% Out of Service > 24 Hours - Bus.	11.53	6.1	12.24	9.6	11.35	7.99	12.57	10	10.16	5.57	
MR-4-08-2120	% Out of Service > 24 Hours - Res.	25.32	16.75	27.71	17.5	27.9	20.08	33.32	28.15	34.67	33.21	
MR-5 - Repeat Trouble Reports												
MR-5-01-2100	% Repeat Reports within 30 Days	18.64	16.48	17.92	15.24	17.35	14.47	17.63	15.59	18.21	14.68	
2-Wire Digital Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-2341	Network Trouble Report Rate – Loop	0.2	0.69	0.22	0.43	0.24	0.43	0.25	0.48	0.3	0.44	
MR-2-03-2341	Network Trouble Report Rate – Central Office	0.12	0.15	0.11	0.31	0.11	0.23	0.14	0.16	0.12	0.08	
MR-2-04-2341	% Subsequent Reports		15.38		9.52		5.56		5.88		0	
MR-2-05-2341	% CPE/TOK/FOK Trouble Report Rate		2.47		1.09		1.82		1.43		1.39	
MR-3 - Missed Repair Appointments												
MR-3-01-2341	% Missed Repair Appointment – Loop	33.61	44.44	35.82	63.64	40.54	45.45	28.95	33.33	27.07	36.36	
MR-3-02-2341	% Missed Repair Appointment – Central Office	32.89	0	22.86	50	23.08	33.33	30.59	0	38.57	50	1,2,3,4,5
MR-3-03-2341	% CPE/TOK/FOK - Missed Appointment		28.13		14.29		25.53		22.22		28.57	
MR-4 - Trouble Duration Intervals												
MR-4-01-2341	Mean Time To Repair – Total	28.23	25.54	62.63	45.59	22.27	23.57	24.98	30.82	24.23	30.93	
MR-4-02-2341	Mean Time To Repair – Loop Trouble	30.55	28.51	29.88	31.9	25.7	31.95	26.36	15.61	25.05	25.45	
MR-4-03-2341	Mean Time To Repair – Central Office Trouble	24.5	12.18	125.33	64.41	14.46	8.2	22.51	76.44	22.09	61.04	1,2,3,4,5
MR-4-04-2341	% Cleared (all troubles) within 24 Hours	65.66	68.18	70.59	42.11	65.26	76.47	67.09	62.5	64.54	53.85	
MR-4-07-2341	% Out of Service > 12 Hours	45.12	66.67	40.54	63.64	51.47	58.33	43.96	100	62.37	100	1,4,5
MR-4-08-2341	% Out of Service > 24 Hours	28.05	50	18.92	63.64	35.29	16.67	29.67	0	45.16	75	1,4,5
MR-5 - Repeat Trouble Reports												

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-5-01-2341	% Repeat Reports within 30 Days	16.16	13.64	14.22	10.53	15.96	5.88	20.25	6.25	15.94	15.38	
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-01-2200	Network Trouble Report Rate	0.21	0.12	0.23	0.24	0.34	0.42	0.34	0.39	0.45	0.42	
MR-2-05-2200	% CPE/TOK/FOK Trouble Report Rate		0.24		0.23		0.62		0.5		0.58	
MR-4 - Trouble Duration Intervals												
MR-4-01-2216	Mean Time To Repair – Total - Non DS0 & DS0	6.42	8.53	6.48	7.91	7.46	9.26	8.66	12.1	7.79	7.78	
MR-4-01-2217	Mean Time To Repair – Total - DS1 & DS3	6.38	7.38	7.98	8.23	12.79	9.46	9.2	7.33	7.28	5.84	1
MR-4-04-2216	% Cleared (all troubles) within 24 Hours - Non DS0 & DS0	97.23	89.47	98.14	100	96.92	94.81	94.52	91.43	95.51	95.89	
MR-4-04-2217	% Cleared (all troubles) within 24 Hours - DS1 & DS3	97.26	100	95.56	100	97.14	100	92.99	100	97.38	100	1
MR-4-06-2216	% Out of Service > 4 Hours - Non DS0 & DS0	53.65	75.76	57.59	81.82	60.81	81.36	68.37	91.53	63.95	75.41	
MR-4-06-2217	% Out of Service > 4 Hours - DS1 & DS3	59.53	66.67	67.71	84	67.49	88.24	69.66	83.33	69.78	80	1
MR-4-08-2216	% Out of Service > 24 Hours - Non DS0 & DS0	2.86	12.12	1.9	0	3.01	6.78	5.45	8.47	3.77	3.28	
MR-4-08-2217	% Out of Service > 24 Hours - DS1 & DS3	2.79	0	4.48	0	2.88	0	7.12	0	2.64	0	1
MR-5 - Repeat Trouble Reports												
MR-5-01-2200	% Repeat Reports within 30 Days	17.96	17.39	18.02	23.91	18.63	18.95	17.34	28.41	15.79	14.74	
UNE (Ordering) - POTS/Special Services												
UNE Ordering												
Platform												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3143	% On Time LSRC – Flow Through		99.92		99.85		99.93		99.94		99.38	
OR-1-04-3143	% On Time LSRC No Facility Check		98.49		99.75		99.02		97.39		98.77	
OR-1-06-3143	% On Time LSRC/ASRC Facility Check		100		100		98.2		99.45		100	
OR-2 - Reject Timeliness												
OR-2-02-3143	% On Time LSR Reject – Flow Through		99.89		100		100		99.94		99.8	
OR-2-04-3143	% On Time LSR Reject No Facility Check		99.16		98.18		99.7		99.57		99.51	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2-06-3143	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
OR-6 - Order Accuracy												
OR-6-01-3143	% Accuracy - Orders*		UR		99.75		96.85		99.75		98.75	
OR-6-03-3143	% Accuracy – LSRC*		0		0		0.03		0.03		0	
OR-7 - Order Completeness												
OR-7-01-3143	% Order Confirmation/Rejects sent within 3 Business Days		99.86		99.73		99.72		99.86		99.88	
Loop/Pre-qualified Complex/LNP												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3331	% On Time LSRC – Flow Through		99.91		99.87		99.85		99.97		99.88	
OR-1-04-3331	% On Time LSRC No Facility Check		99.13		99.09		99.25		99.5		99.28	
OR-1-06-3331	% On Time LSRC/ASRC Facility Check		98.83		99.21		99.67		99.54		99.85	
OR-2 - Reject Timeliness												
OR-2-02-3331	% On Time LSR Reject – Flow Through		100		100		100		100		99.96	
OR-2-04-3331	% On Time LSR Reject No Facility Check		99.88		99.03		99.35		99.68		99.58	
OR-2-06-3331	% On Time LSR/ASR Reject Facility Check		100		100		100		100		100	
OR-6 - Order Accuracy												
OR-6-01-3331	% Accuracy - Orders*		98.21		99.01		97.11		99.17		100	
OR-6-03-3331	% Accuracy – LSRC*		0.36		0.28		0.25		0.16		0.51	
OR-7 - Order Completeness												
OR-7-01-3331	% Order Confirmation/Rejects sent within 3 Business Days		99.8		99.84		99.88		99.89		99.79	
2 Wire Digital Services												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-3341	% On Time LSRC No Facility Check		100		98.94		99.29		100		100	
OR-1-06-3341	% On Time LSRC/ASRC Facility Check		NA		100		NA		NA		NA	2
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3341	% On Time LSR Reject No Facility Check		100		100		100		100		100	
OR-2-06-3341	% On Time LSR/ASR Reject Facility Check		NA		100		NA		NA		NA	2
2 Wire xDSL Loops												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-04-3342	% On Time LSRC No Facility Check		100		99.33		100		100		98.85	
OR-1-06-3342	% On Time LSRC/ASRC - Facility Check		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3342	% On Time LSR Reject No Facility Check		100		100		100		100		100	
OR-2-06-3342	*% On Time LSR/ASR Reject Facility Check*		*NA*		*NA*		*NA*		*NA*		*NA*	
2 Wire xDSL Line Sharing & Line Splitting												
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification												
OR-1-04-3340	% On Time LSRC No Facility Check		100		100		100		100		100	
OR-1-06-3340	% On Time LSRC/ASRC - Facility Check		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-3340	% On Time LSR Reject No Facility Check		100		100		100		100		100	1
OR-2-06-3340	% On Time LSR/ASR Reject Facility Check		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-3000	% Rejects (ASRs + LSRs)		19.11		18.13		17.12		15.62		15.62	
OR-4 - Timeliness of Completion Notification												
OR-4-11-3000	% Completed orders with neither a PCN nor BCN sent		UD		0.24		0.17		0.27		0.1	
OR-4-16-3000	% Provisioning Completion Notifiers sent within one (1) Business Day		UD		74.1		87.64		96.91		97.2	
OR-4-17-3000	% Billing Completion Notifier sent within two (2) Business Days		UD		95.25		95.58		93.52		96.1	
OR-5 - Percent Flow-Through												
OR-5-01-3000	% Flow Through - Total		74.25		75.38		77.13		80.28		83.33	
OR-5-03-3000	% Flow Through Achieved		96.01		97.21		97.6		97.71		97.48	
Special Services - Electronically Submitted												
OR-1 - Order Confirmation Timeliness (ASRs + LSRs)												
OR-1-04-3210	% On Time LSRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-06-3210	% On Time LSRC/ASRC Facility Check DS0		NA		NA		NA		100		66.67	4,5
OR-1-06-3211	% On Time LSRC/ASRC Facility Check DS1		88.42		93.9		97.14		95.29		96.3	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-3213	% On Time LSRC/ASRC Facility Check DS3		93.75		96.72		100		100		100	4
OR-1-06-3214	% On Time LSRC/ASRC Facility Check (Non DS0, Non DS1, & Non DS3)		100		100		NA		NA		NA	1,2
OR-2 - Reject Timeliness (ASRs + LSRs)												
OR-2-04-3200	% On Time LSR Reject No Facility Check		100		100		NA		NA		100	1,2,5
OR-2-06-3200	% On Time LSR/ASR Reject Facility Check		92.77		98.97		98.57		93.55		100	
Special Services - FAX/MAIL Submitted												
OR-1 - Order Confirmation Timeliness												
OR-1-08-3210	% On Time ASRC No Facility Check DS0		NA		NA		NA		NA		NA	
OR-1-10-3210	% On Time ASRC Facility Check DS0								NA		NA	
OR-1-10-3211	% On Time ASRC Facility Check DS1		100		NA		NA		NA		NA	1
OR-1-10-3213	% On Time ASRC Facility Check DS3		100		NA		NA		NA		NA	1
OR-1-10-3214	% On Time ASRC Facility Check (Non DS0, Non DS1, & Non DS3)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-08-3200	% On Time ASR Reject No Facility Check		NA		NA		NA		NA		NA	
OR-2-10-3200	% On Time ASR Reject Facility Check		NA		NA		NA		NA		NA	
UNE (Provisioning) - POTS/Special Services												
POTS - Provisioning												
PR-3 - Completed within X Days												
PR-3-01-3140	% Completed in 1 Day (1-5 Lines - No Dispatch) - Platform	89.64	82.03	85.88	85.99	80.2	77.87	80.28	89.05	80.69	78.45	
PR-3-06-3113	% Completed in 3 Days (1-5 Lines - Dispatch) - Loop New	80.67	33.33	73.02	45	72.54	55	64.83	68	58.08	63.33	
PR-3-06-3140	% Completed in 3 Days (1-5 Lines - Dispatch) - Platform	80.67	68.25	73.02	72.22	72.54	64.15	64.83	77.78	58.08	81.4	
PR-3-08-3111	% Completed in 5 Days (1-5 Lines – No Dispatch) - Hot Cut Loop		99.55		99.2		99.31		100		99.64	
PR-3-09-3113	% Completed in 5 Days (1-5 Lines – Dispatch) - Loop New	97.69	83.33	97.5	95	97.09	95	93.64	92	88.19	96.67	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-3-09-3140	% Completed in 5 Days (1-5 Lines – Dispatch) - Platform	97.69	96.83	97.5	100	97.09	98.11	93.64	100	88.19	95.35	
PR-4 - Missed Appointments												
PR-4-02-3100	Average Delay Days – Total	2.65	1.7	2.6	2.25	2.61	2.43	2.91	1.67	3.22	1.71	2,3,4,5
PR-4-03-3100	% Missed Appt. – Customer		4.31		2.95		4.21		2		2.21	
PR-4-04-3113	% Missed Appt. – Verizon – Dispatch - Loop New	4.93	0.4	5.36	0.87	5.51	0	5.41	1.23	5.53	0.35	
PR-4-04-3140	% Missed Appt. – Verizon – Dispatch - Platform	4.93	4.27	5.36	0.67	5.51	4.61	5.41	1.59	5.53	4.8	
PR-4-05-3140	% Missed Appt. – Verizon – No Dispatch - Platform	0.01	0	0.01	0	0.02	0	0.02	0	0.02	0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3112	% Installation Troubles reported within 30 Days - Loop	2.89	1.84	2.75	2.28	3.14	2.42	3.63	2.63	4.16	2.2	
PR-6-01-3121	% Installation Troubles reported within 30 Days - Platform	2.89	1.35	2.75	1.34	3.14	1.59	3.63	0.86	4.16	0.57	
PR-6-03-3112	% Installation Troubles reported within 30 Days - FOK/TOK/CPE – Loop		2.09		1.81		2.54		2.06		2.44	
PR-6-03-3121	% Installation Troubles reported within 30 Days - FOK/TOK/CPE – Platform		0.91		1.31		1.46		0.73		0.59	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3100	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3100	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
PR-9 - Hot Cuts Loops												
PR-9-01-3520	% On Time Performance – Hot Cut		99.67		99.51		98.88		99.46		100	
POTS & Complex Aggregate												
2-Wire Digital Services												
PR-4 - Missed Appointments												
PR-4-02-3341	Average Delay Days – Total	3.45	2	3.3	2	4.04	1.33	4.26	4	4.87	NA	1,2,3,4
PR-4-03-3341	% Missed Appointment – Customer		4.55		20.24		9.38		16.67		8.89	
PR-4-04-3341	% Missed Appointment – Verizon – Dispatch	9.04	0	4.31	0	4.8	1.67	6.02	0	6.88	0	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-05-3341	% Missed Appointment – Verizon – No Dispatch	0	0	0	0	0	0	0	0	0	NA	1,2,3,4
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3341	% Install. Troubles Reported within 30 Days	5.43	7.87	5.44	13.64	5.71	6.06	5.17	10.91	5.86	14.89	
PR-6-03-3341	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		15.73		19.32		21.21		12.73		8.51	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3341	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3341	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Loops												
PR-4 - Missed Appointments												
PR-4-02-3342	Average Delay Days – Total	4.57	2.5	5.3	3.13	4.8	2.67	3.13	2.5	7.48	1	1,2,3,4,5
PR-4-03-3342	% Missed Appointment – Customer		8.29		9.43		12.6		7.53		8.62	
PR-4-04-3342	% Missed Appointment – Verizon – Dispatch		0.25		0.2		0.55		0.26		0.27	
PR-4-14-3342	% Completed On Time (with Serial Number)		97.15		98.41		97.51		99.14		98.29	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3342	% Install. Troubles Reported within 30 Days	5.43	6	5.44	3.86	5.71	7.79	5.17	5.34	5.86	3.6	
PR-6-03-3342	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		7.67		7.53		9.35		6.87		6.68	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3342	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0.9	0	0.5	0	
PR-8-02-3342	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Line Sharing												
PR-3-03-3343	% Completed in 3 Days (1-5 Lines - No Dispatch)	99.91	100	99.93	99.29	99.86	100	99.89	100	99.95	100	
PR-4 - Missed Appointments												
PR-4-02-3343	Average Delay Days – Total	2.2	3	3.36	NA	1.45	1.5	1.85	NA	3.2	1	1,3,5
PR-4-03-3343	% Missed Appointment – Customer		2.86		2.66		3.35		1.44		2.81	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-04-3343	% Missed Appointment – Verizon – Dispatch	1.49	4.76	1.36	0	2.2	0	2.38	0	3.55	4.76	
PR-4-05-3343	% Missed Appointment – Verizon – No Dispatch	0.1	0	0.06	0	0.13	0	0.08	0	0.06	0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3343	% Install. Troubles Reported within 30 Days	0.51	0.57	0.54	0.53	0.74	0.56	0.66	0.96	1.43	1.12	
PR-6-03-3343	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		6.29		3.19		3.91		6.73		6.74	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3343	Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3343	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
2-Wire xDSL Line Splitting												
PR-3 - Completed within X Days												
PR-4 - Missed Appointments												
PR-4-04-3345	% Missed Appointment – Verizon – Dispatch	1.49	NA	1.36	NA	2.2	NA	2.38	NA	3.55	NA	
PR-4-05-3345	% Missed Appointment – Verizon – No Dispatch	0.1	NA	0.06	NA	0.13	NA	0.08	NA	0.06	NA	
PR-5 - Facility Missed Orders												
PR-5-01-3345	% Missed Appointment - Verizon Facilities	0.4	NA	1.24	NA	0.41	NA	0.73	NA	1.05	NA	
PR-6 - Installation Quality												
PR-6-01-3345	% Install. Troubles Reported within 30 Days	0.51	NA	0.54	NA	0.74	NA	0.66	NA	1.43	NA	
PR-6-03-3345	% Install. Troubles Reported within 30 Days - FOK/TOK/CPE		NA		NA		NA		NA		NA	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3345	Open Orders in a Hold Status > 30 Days	0	NA	0	NA	0	NA	0	NA	0	NA	
Special Services - Provisioning												
PR-4 - Missed Appointments												
PR-4-01-3210	% Missed Appointment – Verizon – DS0	3.89	NA	5.03	NA	6.41	NA	3.6	NA	10.5	NA	
PR-4-01-3211	% Missed Appointment – Verizon – DS1	7.19	6.73	12.66	3.16	8.73	7.03	14.83	7.64	9.17	6.56	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-01-3213	% Missed Appointment – Verizon – DS3	60	NA	41.67	NA	40	0	28.57	NA	12.5	NA	3
PR-4-01-3214	% Missed Appointment – Verizon – Special Other	0	0	0	NA	4.88	0	6.25	0	11.11	0	1,3,4,5
PR-4-01-3510	% Missed Appointment – Verizon – Total - EEL	7.19	0	12.66	8.33	8.73	0	14.83	8.11	9.17	12.5	
PR-4-01-3530	% Missed Appointment – Verizon – Total-IOF	60	0	41.67	8.7	40	5	28.57	6.25	12.5	5.26	
PR-4-02-3200	Average Delay Days – Total	7.71	27.71	14.22	8.8	6.44	3.89	5.5	2.67	10.13	2.25	1,2,5
PR-4-02-3510	Average Delay Days – Total - EEL	5.55	NA	15.74	5	6.64	NA	5.94	9.67	11.62	1	2,4,5
PR-4-02-3530	Average Delay Days – Total - IOF	23	NA	20.2	18	13.25	4	6.25	8	35	1	2,3,4,5
PR-4-03-3200	% Missed Appointment – Customer		41.18		33.82		25.43		29.38		37.32	
PR-4-03-3510	% Missed Appointment – Customer - EEL		51.72		45.83		60		29.73		43.75	
PR-4-03-3530	% Missed Appointment – Customer - IOF								56.25		84.21	
PR-4-08-3200	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0		0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3200	% Installation Troubles reported within 30 Days	2.76	8.78	2.8	3.95	5.29	7.45	9.5	6.54	8.34	6.33	
PR-6-03-3200	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		0		0.53		0		0.63	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3200	Open Orders in a Hold Status > 30 Days	0.26	0	0.37	0	0.4	0	0.83	0	0.65	0	
PR-8-02-3200	Open Orders in a Hold Status > 90 Days	0	0	0.18	0	0.13	0	0.17	0	0.22	0	
UNE (Maintenance) - POTS/Special Services												
Maintenance - POTS Loop												
MR-2 - Trouble Report Rate												
MR-2-02-3550	Network Trouble Report Rate – Loop	0.76	0.42	0.94	0.53	0.96	0.5	1.11	0.59	1.33	0.6	
MR-2-03-3550	Network Trouble Report Rate – Central Office	0.08	0.04	0.09	0.08	0.09	0.06	0.09	0.07	0.1	0.07	
MR-2-04-3550	% Subsequent Reports		46.71		43.55		44.56		45.14		45.44	
MR-2-05-3550	% CPE/TOK/FOK Trouble Report Rate		0.39		0.48		0.45		0.4		0.48	
MR-3 - Missed Repair Appointments												

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-01-3550	% Missed Repair Appointment – Loop	9.22	2.42	11.62	5.37	10.46	4.89	11.63	4.46	10.53	4.25	
MR-3-02-3550	% Missed Repair Appointment – Central Office	8.34	12.5	7.77	4.76	7.62	11.67	8.22	10	8.57	13.95	
MR-3-03-3550	% CPE/TOK/FOK - Missed Appointment		4.83		3.93		3.3		5.93		4.66	
MR-4 - Trouble Duration Intervals												
MR-4-01-3550	Mean Time To Repair – Total	18.04	13.48	19.04	13.49	19.6	14.01	21.07	13.27	20.94	14.17	
MR-4-02-3550	Mean Time To Repair – Loop Trouble	18.97	13.84	20.04	14.17	20.52	14.52	21.99	13.49	21.73	14.09	
MR-4-03-3550	Mean Time To Repair – Central Office Trouble	9.17	9.39	8.93	8.99	9.63	9.69	9.97	9.45	10.4	9.14	
MR-5 - Repeat Trouble Reports												
MR-5-01-3550	% Repeat Reports within 30 Days	18.64	15.38	17.92	11.35	17.35	14.54	17.63	15.63	18.21	13.34	
Maintenance - POTS Platform												
MR-2 - Trouble Report Rate												
MR-2-02-3140	Network Trouble Report Rate – Platform	0.76	0.73	0.94	0.78	0.96	0.7	1.11	0.7	1.33	0.82	
MR-2-03-3140	Network Trouble Report Rate – Central Office	0.08	0.13	0.09	0.15	0.09	0.13	0.09	0.09	0.1	0.14	
MR-2-04-3140	% Subsequent Reports		6.98		4.82		6.43		6.07		5.08	
MR-2-05-3140	% CPE/TOK/FOK Trouble Report Rate		0.61		0.79		0.7		0.58		0.76	
MR-3 - Missed Repair Appointments												
MR-3-01-3144	% Missed Repair Appointment – Platform Bus.	12.78	12.21	15.07	13.71	13.14	10.37	16.59	9.55	14.37	14.76	
MR-3-01-3145	% Missed Repair Appointment – Platform Res.	8.51	7.58	10.93	11.54	9.94	5.36	10.72	9.26	9.85	6.41	
MR-3-02-3144	% Missed Repair Appointment – Central Office Bus.	12.28	2.63	13.35	13.16	10.28	5.88	9.36	0	12.7	11.43	
MR-3-02-3145	% Missed Repair Appointment – Central Office Res.	6.79	0	5.74	0	6.58	0	7.84	22.22	6.93	7.69	1,3
MR-4 - Trouble Duration Intervals												
MR-4-01-3140	Mean Time To Repair – Total	18.04	12.09	19.04	13.16	19.6	12.91	21.07	12.9	20.94	12.04	
MR-4-04-3140	% Cleared (all troubles) within 24 Hours	77.03	90.36	74.6	86.82	73.89	83.21	69.12	87.07	67.45	87.2	
MR-4-06-3140	% Out of Service > 4 Hours	77.2	64.65	79.01	66.67	78.88	70.72	82.61	64.88	78.39	66.02	
MR-4-07-3140	% Out of Service > 12 Hours	57.2	41.92	57.8	44.44	58.23	48.62	62.79	40.49	60.04	39.77	
MR-5 - Repeat Trouble Reports												
MR-5-01-3140	% Repeat Reports within 30 Days	18.64	18.57	17.92	15.2	17.35	14.5	17.63	14.45	18.21	18.75	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
2-Wire Digital Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3341	Network Trouble Report Rate - Loop	0.75	0.85	0.93	1.11	0.95	0.71	1.1	0.95	1.32	0.8	
MR-2-03-3341	Network Trouble Report Rate - Central Office	0.08	0.13	0.09	0.28	0.09	0.24	0.09	0.11	0.1	0.16	
MR-2-04-3341	% Subsequent Reports		11.63		22.86		12.2		25.93		43.75	
MR-3 - Missed Repair Appointments												
MR-3-01-3341	% Missed Repair Appointment – Loop	9.32	12.12	11.71	2.33	10.59	11.11	11.7	5.56	10.59	10	
MR-3-02-3341	% Missed Repair Appointment – Central Office	8.95	0	8.07	9.09	7.92	0	8.77	0	9.13	0	1,4,5
MR-4 - Trouble Duration Intervals												
MR-4-01-3341	Mean Time To Repair - Total	18.11	15.54	19.27	11.48	19.62	15.83	21.09	13.28	20.96	12.16	
MR-4-02-3341	Mean Time To Repair - Loop Trouble	19.02	17.3	20.07	13.06	20.54	19.45	22	14.25	21.74	13.38	
MR-4-03-3341	Mean Time To Repair - Central Office Trouble	9.55	3.99	11.23	5.29	9.73	4.94	10.28	4.52	10.62	6.05	1,4,5
MR-4-07-3341	% Out of Service > 12 Hours	57.16	54.84	57.75	36.59	58.22	46.67	62.74	54.55	60.05	30.77	
MR-4-08-3341	% Out of Service > 24 Hours	22.87	25.81	24.92	7.32	25.1	20	30.04	3.03	30.89	11.54	
MR-5 - Repeat Trouble Reports												
MR-5-01-3341	% Repeat Reports within 30 Days	18.62	21.05	17.9	16.67	17.35	16.67	17.64	15	18.2	8.33	
2-Wire xDSL Loops - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3342	Network Trouble Report Rate - Loop	0.75	0.54	0.93	0.56	0.95	0.47	1.1	0.44	1.32	0.53	
MR-2-03-3342	Network Trouble Report Rate - Central Office	0.08	0.04	0.09	0.09	0.09	0.06	0.09	0.09	0.1	0.09	
MR-3 - Missed Repair Appointments												
MR-3-01-3342	% Missed Repair Appointment – Loop	9.32	5.43	11.71	7.61	10.59	5.68	11.7	9.09	10.59	6.82	
MR-3-02-3342	% Missed Repair Appointment – Central Office	8.95	0	8.07	0	7.92	0	8.77	0	9.13	15.38	
MR-4 - Trouble Duration Intervals												
MR-4-02-3342	Mean Time To Repair - Loop Trouble	19.02	12.6	20.07	13.59	20.54	12.93	22	14.5	21.74	12.6	
MR-4-03-3342	Mean Time To Repair - Central Office Trouble	9.55	4.81	11.23	3.07	9.73	2.71	10.28	5.42	10.62	5.68	
MR-4-07-3342	% Out of Service > 12 Hours	57.16	33.33	57.75	36.17	58.22	32.97	62.74	32.91	60.05	30.77	
MR-4-08-3342	% Out of Service > 24 Hours	22.87	14.94	24.92	15.96	25.1	14.29	30.04	16.46	30.89	8.97	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-5 - Repeat Trouble Reports												
MR-5-01-3342	% Repeat Reports within 30 Days	18.62	14.15	17.9	14.29	17.35	17.92	17.64	8.42	18.2	19.8	
2-Wire xDSL Line Sharing - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3343	Network Trouble Report Rate - Loop	0.15	0.07	0.19	0.04	0.23	0.14	0.28	0.1	0.32	0.23	
MR-2-03-3343	Network Trouble Report Rate - Central Office	0.04	0.11	0.04	0	0.03	0.03	0.03	0.07	0.04	0.1	
MR-3 - Missed Repair Appointments												
MR-3-01-3343	% Missed Repair Appointment – Loop	22.51	50	17.56	0	25.57	0	25.81	33.33	24.59	0	1,2,3,4
MR-3-02-3343	% Missed Repair Appointment – Central Office	8.25	25	6.19	0	13.4	0	11.25	0	12.39	0	1,2,3,4,5
MR-4 - Trouble Duration Intervals												
MR-4-02-3343	Mean Time To Repair - Loop Trouble	24.49	37.33	22.57	8.5	28.87	9.26	29.99	19.17	29.57	11.38	1,2,3,4
MR-4-03-3343	Mean Time To Repair - Central Office Trouble	11.38	6.63	9.77	5.87	14.51	3.69	19.3	3.88	14.74	4.12	1,2,3,4,5
MR-4-04-3343	% Cleared (all troubles) within 24 Hours	70.49	83.33	74.65	100	64.78	83.33	60.25	85.71	63.9	91.67	1,2,3,4
MR-4-07-3343	% Out of Service > 12 Hours	63.96	16.67	59.37	0	70.94	33.33	72.35	16.67	69.95	20	1,2,3,4
MR-4-08-3343	% Out of Service > 24 Hours	28.98	16.67	25.07	0	32.2	33.33	38.44	16.67	35.52	10	1,2,3,4
MR-5 - Repeat Trouble Reports												
MR-5-01-3343	% Repeat Reports within 30 Days	55.56	16.67	62.12	50	60.84	66.67	55.07	71.43	38.67	66.67	1,2,3,4
2-Wire xDSL Line Splitting - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3345	Network Trouble Report Rate - Loop	0.15	NA	0.19	NA	0.23	NA	0.28	NA	0.32	NA	
MR-2-03-3345	Network Trouble Report Rate - Central Office	0.04	NA	0.04	NA	0.03	NA	0.03	NA	0.04	NA	
MR-2-04-3345	% Subsequent Reports		NA		NA		NA		NA		NA	
MR-2-05-3345	% CPE/TOK/FOK Trouble Report Rate		NA		NA		NA		NA		NA	
MR-3 - Missed Repair Appointments												
MR-3-01-3345	% Missed Repair Appointment – Loop	22.51	NA	17.56	NA	25.57	NA	25.81	NA	24.59	NA	
MR-3-02-3345	% Missed Repair Appointment – Central Office	8.25	NA	6.19	NA	13.4	NA	11.25	NA	12.39	NA	
MR-3-03-3345	%CPE/TOK/FOK - Missed Appointment		NA		NA		NA		NA		NA	
MR-4 - Trouble Duration Intervals												
MR-4-02-3345	Mean Time To Repair - Loop Trouble	24.49	NA	22.57	NA	28.87	NA	29.99	NA	29.57	NA	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-03-3345	Mean Time To Repair - Central Office Trouble	11.38	NA	9.77	NA	14.51	NA	19.3	NA	14.74	NA	
MR-5 - Repeat Trouble Reports												
MR-5-01-3345	% Repeat Reports within 30 Days	55.56	NA	62.12	NA	60.84	NA	55.07	NA	38.67	NA	
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-01-3200	Network Trouble Report Rate	0.21	1.26	0.23	1.65	0.34	1.39	0.34	1.79	0.45	2.42	
MR-2-05-3200	% CPE/TOK/FOK Trouble Report Rate		1.85		1.84		2.03		2.45		2.21	
MR-4 - Trouble Duration Intervals												
MR-4-01-3216	Mean Time To Repair – Total - Non DS0 & DS0	6.42	NA	6.48	NA	7.46	NA	8.66	NA	7.79	NA	
MR-4-01-3217	Mean Time To Repair – Total - DS1 & DS3	6.38	6.43	7.98	6.66	12.79	7.7	9.2	7.84	7.28	6.72	
MR-5 - Repeat Trouble Reports												
MR-5-01-3200	% Repeat Reports within 30 Days	17.96	14.29	18.02	10.14	18.63	21.43	17.34	20.27	15.79	14.56	
Trunks (Aggregate) - POTS/Special Services												
ORDERING												
OR 1 - Order Confirmation Timeliness												
OR-1-12-5020	% On Time FOC (<= 192 Forecasted Trunks)		100		100		100		100		100	1
OR-1-12-5030	% On Time FOC (> 192 and Unforecasted Trunks)		88.89		89.09		59.15		53.17		67.01	
OR-1-13-5020	% On Time Design Layout Record (DLR)		100		100		90.32		95.83		100	
OR-1-19-5020	% On Time Resp. - Request for Inbound Augment Trunks (<= 192 Forecasted Trunks)		100		100		100		NA		100	1,2,3,5
OR-1-19-5030	% On Time Resp. - Request for Inbound Augment Trunks (> 192 Forecasted Trunks)		100		NA		100		NA		100	1,3,5
OR-2 - Reject Timeliness												
OR-2-12-5000	% On Time Trunk ASR Reject (<= 192 Forecasted Trunks)		100		100		100		100		100	1,2,3,4,5
PROVISIONING												

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-1 - Average Interval Offered												
PR-1-09-5020	Av. Interval Offered – Total (<= 192 Forecasted Trunks)	23.86	15.2	16.13	18.33	20	15.75	18	13.33	11.5	14.11	1,3,4
PR-1-09-5030	Av. Interval Offered – Total (> 192 & Unforecasted Trunks)	17.75	17.18	26.57	18.83	25.36	22	18.52	30.14	13.2	32.04	
PR-4 - Missed Appointment												
PR-4-01-5000	% Missed Appointment – Verizon – Total	0	0	0	0	0	0					
PR-4-02-5000	Average Delay Days - Total	NA	NA	NA	NA	NA	NA		NA		NA	
PR-4-03-5000	% Missed Appointment – Customer		19.32		22.93		21.43		7.79		30.47	
PR-4-07-3540	% On Time Performance – LNP Only		99.82		99.84		99.51		99.37		99.93	
PR-4-15-5000	% On Time Provisioning - Trunks								100		100	
PR-5 - Facility Missed Orders												
PR-5-01-5000	% Missed Appointment – Verizon – Facilities	0	0	0	0	0	0	0	0	0	0	
PR-5-02-5000	% Orders Held for Facilities > 15 Days	0	0	0	0	0	0	0	0	0	0	
PR-5-03-5000	% Orders Held for Facilities > 60 Days	0	0	0	0	0	0	0	0	0	0	
PR-6 - Installation Quality												
PR-6-01-5000	% Installation Troubles reported within 30 Days	0	0	0	0	0.07	0.01	0.05	0	0.05	0	
PR-6-03-5000	% Inst. Troubles reported within 30 Days - FOK/TOK/CPE		0		0		0		0		0	
PR-8 - Open Orders in a Hold Status												
MAINTENANCE												
MR-2 - Trouble Report Rate												
MR-2-01-5000	Network Trouble Report Rate	0.01	0	0	0	0.01	0.01	0	0	0.01	0.01	
MR-4 - Trouble Duration Intervals												
MR-4-01-5000	Mean Time To Repair – Total	1.34	1.17	1	0.93	0.96	1.06	1.36	1.05	1.84	1.07	
MR-4-04-5000	% Cleared (all troubles) within 24 Hours	100	100	100	100	100	100	100	100	100	100	
MR-4-05-5000	% Out of Service > 2 Hours	6.67	0	0	0	10	7.69	23.08	0	41.18	8.7	
MR-4-06-5000	% Out of Service > 4 Hours	6.67	0	0	0	0	0	0	0	11.76	0	
MR-4-07-5000	% Out of Service > 12 Hours	0	0	0	0	0	0	0	0	0	0	
MR-4-08-5000	% Out of Service > 24 Hours	0	0	0	0	0	0	0	0	0	0	
MR-5 - Repeat Trouble Report Rates												
MR-5-01-5000	% Repeat Reports within 30 Days	6.67	0	27.27	12.5	15	7.69	15.38	14.29	17.65	8.7	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NETWORK PERFORMANCE												
NP-1 - Percent Final Trunk Group Blockage												
NP-1-02-5000	% FTG Exceeding Blocking Std. –(No Exceptions)	0.65	1.41	1.96	3.07	0.67	2.8	0.34	0.56	0.74	3.08	
NP-1-03-5000	Number FTG Exceeding Blocking Std. – 2 Months		0		0		0		0		0	
NP-1-04-5000	Number FTG Exceeding Blocking Std. – 3 Months		0		0		0		0		0	
NP-2 - Collocation Performance - New												
NP-2-01-6701	% On Time Response to Request for Physical Collocation		100		NA		100		100		100	1,3,4,5
NP-2-02-6701	% On Time Response to Request for Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-03-6701	Average Interval – Physical Collocation		76		67.5		67		75.25		74	
NP-2-04-6701	Average Interval – Virtual Collocation		103		128		NA		NA		NA	
NP-2-05-6701	% On Time – Physical Collocation		100		100		100		100		100	1,2,3,4,5
NP-2-06-6701	% On Time – Virtual Collocation		100		100		NA		NA		NA	1,2
NP-2-07-6701	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6701	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2 - Collocation Performance - Augment												
NP-2-01-6702	% On Time Response to Request for Physical Collocation		100		100		100		100		100	3,4,5
NP-2-02-6702	% On Time Response to Request for Virtual Collocation		NA		100		100		NA		NA	2,3
NP-2-03-6702	Average Interval – Physical Collocation - 76 Days		64.7		47.18		57.52		46.8		61.57	
NP-2-03-6712	Average Interval – Physical Collocation - 45 Days		40		NA		NA		NA		NA	
NP-2-04-6702	Average Interval – Virtual Collocation		67		70		NA		NA		62	
NP-2-05-6702	% On Time – Physical Collocation - 76 Days		100		100		100		100		100	5
NP-2-05-6712	% On Time – Physical Collocation - 45 Days		100		NA		NA		NA		NA	1

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NP-2-06-6702	% On Time – Virtual Collocation		100		100		NA		NA		100	1,2,5
NP-2-07-6702	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6702	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	
PO-4-02-6660	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std., Verizon Orig, & CLEC Orig.		NA		NA		NA		NA		NA	
PO-4-02-6671	Change Mgmt. Notice - Delay 1-7 Days - Emergency Maint. & Regulatory		NA		NA		NA		NA		NA	
PO-4-03-6660	Change Mgmt. Notice - Delay 8+ Days - Ind. Std., Verizon Orig. & CLEC Orig.		NA		NA		NA		NA		NA	
PO-4-03-6671	Change Mgmt. Notice - Delay 8+ Days - Emergency Maint. & Regulatory		NA		NA		NA		NA		NA	
PO-4-02-6622	Change Mgmt. Notice - Delay 1-7 Days - Regulatory		NA		NA		NA		NA		NA	
PO-4-02-6662	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std., Verizon Orig. & CLEC Orig.		NA		NA		NA		NA		NA	
PO-4-03-6622	Change Mgmt. Notice - Delay 8+ Days - Regulatory		NA		NA		NA		NA		NA	
PO-4-03-6662	Change Mgmt. Notice - Delay 8+ Days - Ind. Std., Verizon Orig. & CLEC Orig.		NA		NA		NA		NA		NA	
OPERATOR SERVICES & DATABASES**												
OD-1 - Operator Services - Speed of Answer												
OD-1-01-1021	Average Speed of Answer – Operator Services - NE OSC	2.72	0.28	3	0.3	2.99	0.29	2.9	0.28	2.88	0.27	
OD-1-02-1021	Average Speed of Answer – Directory Assistance - NE OSC	3.64	2.19	3.64	2.2	3.95	2.35	3.94	2.35	3.8	2.26	
RESALE Pre-Ordering												
PO-3 - Contact Center Availability												
PO-3-02-2000	% Answered within 30 Seconds – Ordering*		94.33		94.98		95.81		96.24		96.07	
PO-3-04-2000	% Answered within 30 Seconds – Repair**		92.98		93.64		92.99		90.67		91.43	
OR-8 - Acknowledgement Timeliness												
OR-8-01-2000	% Acknowledgements on Time		100		100		100		100		99.88	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-9 - Order Acknowledgement Completeness												
OR-9-01-2000	% Acknowledgement Completeness		100		100		100		100		100	
PR-1 - Average Interval Offered												
PR-1-04-2100	Average Interval Offered – Dispatch (6-9 Lines)	2.54	4.88	2.26	7.27	2.06	5.46	2.52	7.35	3.53	6.88	
PR-1-05-2100	Average Interval Offered – Dispatch (>= 10 Lines)	3.9	8.25	2.93	8.28	3.03	9.26	2.76	17.38	3.44	8.45	
PR-3 - Completed within Specified Days												
PR-3-01-2100	% Completed in 1 Day (1-5 Lines - No Dispatch)	89.64	76.93	85.88	76.57	80.2	72.29	80.28	75.15	80.69	69.08	
PR-3-06-2100	% Completed in 3 Days (1-5 Lines - Dispatch)	80.67	74.29	73.02	74.7	72.54	73.16	64.83	60.94	58.08	61.33	
PR-3-09-2100	% Completed in 5 Days (1-5 Lines – Dispatch)	97.69	98.89	97.5	99.08	97.09	99.62	93.64	96.45	88.19	90.63	
PR-5-01-2100	% Missed Appointment – Verizon – Facilities	2.84	3	3.35	3.09	3.04	3.14	2.91	2.68	3.07	3.17	
PR-5-02-2100	% Orders Held for Facilities > 15 Days	0.05	0	0.05	0	0.05	0	0.09	0	0.08	0	
POTS - Business												
PR-1 - Average Interval Offered												
PR-1-01-2110	Average Interval Offered – Total No Dispatch	0.56	1.33	0.62	1.34	0.65	1.96	0.61	1.96	0.65	1.89	
PR-1-03-2110	Average Interval Offered – Dispatch (1-5 Lines)	2.18	3.07	2.19	2.67	2.2	2.71	2.12	2.96	2.19	2.79	
POTS - Residence												
PR-1 - Average Interval Offered												
PR-1-01-2120	Average Interval Offered – Total No Dispatch	0.31	0.98	0.39	0.83	0.52	0.97	0.54	0.81	0.6	0.9	
PR-1-03-2120	Average Interval Offered – Dispatch (1-5 Lines)	2.59	3.14	2.83	3.2	2.88	3.32	3.29	3.94	3.62	5.03	
PR-1 - Average Interval Offered												
PR-1-12-2103	Average Interval Offered – Disconnects	3.69	3.03	3.72	3.05	3.5	3.02	3.55	3.16	6.05	3.67	
PR-1 - Average Interval Offered												
PR-1-01-2341	Average Interval Offered – Total No Dispatch	1.4	1.91	1.45	1.91	1.61	3.61	1.87	1.9	1.97	2.17	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-1-02-2341	Average Interval Offered – Total Dispatch	2.97	8.5	3.18	10.89	3.68	7.67	3.43	15.33	3.92	12	4,5
PR-5-01-2341	% Missed Appointment – Verizon – Facilities	2.33	0	3.3	0	2.3	3.7	3.37	0	4.68	4.55	
PR-5-02-2341	% Orders Held for Facilities > 15 Days	0.29	0	0	0	0	0	0	0	0.29	0	
PR-1 - Average Interval Offered												
PR-1-06-2200	Average Interval Offered – DS0	9.95	8.76	10.31	8.75	11	9.36	11.1	9.26	10.02	8.65	
PR-1-07-2200	Average Interval Offered – DS1	16.3	19.38	17.83	21	19.91	16	19.87	13.2	21.79	10.75	1,3
PR-1-08-2200	Average Interval Offered – DS3	35.14	NA	32.39	NA	51.33	NA	22.29	NA	45.13	NA	
PR-1-12-2200	Average Interval Offered – Disconnects	11.59	7.64	10.15	8.26	10.62	6.22	12.16	7.16	12.77	8	
PR-5- Facility Missed Orders												
PR-5-01-2200	% Missed Appointment – Verizon – Facilities	0	0	0.42	0	0.79	0	0.21	2.78	1.76	8.7	
PR-5-02-2200	% Orders Held for Facilities > 15 Days	0	0	0	0	0	0	0	0	0	0	
MR-2-02-2100	Network Trouble Report Rate – Loop	0.76	0.32	0.94	0.4	0.96	0.37	1.11	0.35	1.33	0.39	
MR-2-03-2100	Network Trouble Report Rate – Central Office	0.08	0.05	0.09	0.06	0.09	0.05	0.09	0.05	0.1	0.05	
MR-2-04-2100	% Subsequent Reports		7.94		12.76		7.25		6.97		6.03	
MR-2-05-2100	% CPE/TOK/FOK Trouble Report Rate		0.27		0.33		0.32		0.3		0.29	
UNE Pre-ordering												
PO-3 - Contact Center Availability												
PO-3-02-3000	% Answered within 30 Seconds – Ordering*		91.26		93.85		94.46		95.87		91.46	
PO-3-04-3000	% Answered within 30 Seconds – Repair**		92.98		93.64		92.99		90.67		91.43	
OR-8 - Acknowledgement Timeliness												
OR-8-01-3000	% Acknowledgements on Time		100		100		99.98		99.99		99.68	
OR-9 - Order Acknowledgement Completeness												
OR-9-01-3000	% Acknowledgement Completeness		100		100		100		100		100	
OR-3-02-3000	% Resubmission Not Rejected		NA		NA		NA		NA		NA	
PR-1 - Average Interval Offered												
PR-1-01-3140	Av. Interval Offered - Total No Dispatch - Platform					0.53	1.03	0.55	0.84	0.6	1.07	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-1-03-3112	Av. Interval Offered - Dispatch (1-5 Lines) - Loop	2.5	4.83	2.67	3.93	2.7	3.81	3.01	3.51	3.3	3.49	
PR-1-03-3140	Av. Interval Offered - Dispatch (1-5 Lines) - Platform	2.5	3.02	2.67	2.94	2.7	3.02	3.01	2.7	3.3	2.59	
PR-1-04-3112	Av. Interval Offered - Dispatch (6-9 Lines) - Loop	2.54	6.13	2.26	6.8	2.06	6	2.52	9	3.53	4.5	1,2,3,5
PR-1-04-3140	Av. Interval Offered - Dispatch (6-9 Lines) - Platform	2.54	5.33	2.26	NA	2.06	4.6	2.52	5.25	3.53	10	1,3,4,5
PR-1-05-3112	Av. Interval Offered - Dispatch (>= 10 Lines) - Loop	3.9	4.33	2.93	4	3.03	10	2.76	3.67	3.44	5.67	1,2,3,4,5
PR-1-05-3140	Av. Interval Offered - Dispatch (>= 10 Lines) - Platform	3.9	12.5	2.93	43	3.03	7.5	2.76	8	3.44	3	1,2,3,4,5
PR-5-01-3112	% Missed Appointment – Verizon – Facilities Loop	2.84	0.4	3.35	0.87	3.04	0	2.91	0.92	3.07	0.35	
PR-5-01-3140	% Missed Appointment – Verizon – Facilities - Platform	2.84	3.79	3.35	0.67	3.04	1.97	2.91	0	3.07	1.6	
PR-5-02-3112	% Orders Held for Facilities > 15 Days - Loop	0.05	0	0.05	0	0.05	0	0.09	0	0.08	0	
PR-5-02-3140	% Orders Held for Facilities > 15 Days - Platform	0.05	0	0.05	0	0.05	0	0.09	0	0.08	0	
PR-5-04-3112	% Orders Cancelled (> 5 days) after Due Date - Due to Facilities - Loop		0		0		0		0		0	
PR-6-02-3520	% Installation Troubles reported within 7 Days - Hot Cut Loop		0.4		0.81		0.7		0.97		0.61	
PR-9-08-3520	Average Duration of Service Interruption		15.9		21.2		18.55		17.36		19.57	
PR-1 - Average Interval Offered												
PR-1-12-3133	Av. Interval Offered - Disconnects	3.69	4.29	3.72	5.07	3.5	5.29	3.55	5.13	6.05	6.96	
PR-1 - Average Interval Offered												
PR-1-01-3341	Av. Interval Offered – Total No Dispatch	1.4	5.5	1.45	5	1.61	0	1.87	6	1.97	NA	1,2,3,4
PR-1-02-3341	Av. Interval Offered – Total Dispatch	2.97	5.9	3.18	5.93	3.68	5.89	3.43	5.61	3.92	5.63	
PR-4-08-3341	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0		0	
PR-5-01-3341	.% Missed Appointment - Verizon Facilities	2.33	1.16	3.3	1.22	2.3	3.23	3.37	1.92	4.68	0	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-5-02-3341	% Orders Held for Facilities > 15 Days	0.29	0	0	0	0	0	0	0	0.29	0	
PR-5-04-3341	% Orders Cancelled (> 5 days) after Due Date - Due to Facilities		0		0		0		0		0	
PR-1 - Average Interval Offered												
PR-1-01-3342	Av. Interval Offered – Total No Dispatch		5.33		4.43		NA		6		6	1,2,4,5
PR-1-02-3342	Av. Interval Offered – Total Dispatch		5.98		5.87		5.95		5.96		5.98	
PR-3-10-3342	% Completed in 6 Days (1-5 Lines - Total)		100		99.53		99.45		100		100	
PR-3-11-3342	% Completed in 9 Days (1-5 Lines - Total)											
PR-4-08-3342	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0		0	
PR-5-01-3342	% Missed Appointment - Verizon Facilities	0.4	1.23	1.24	1.39	0.41	1.08	0.73	0.26	1.05	0.27	
PR-5-02-3342	% Orders Held for Facilities > 15 Days	0	0	0.1	0	0	0	0	0	0.12	0	
PR-5-04-3342	% Orders Cancelled (> 5 days) after Due Date - Due to Facilities		0.24		0		0		0		0	
PR-1 - Average Interval Offered												
PR-1-01-3343	Av. Interval Offered – Total No Dispatch	2.93	2.9	2.88	2.94	2.92	2.92	2.97	2.99	2.97	2.86	
PR-1-02-3343	Av. Interval Offered – Total Dispatch	3	3	3	3	2.99	3	3	3	2.99	3	
PR-3-03-3343x	% Completed in 3 Days (1-5 Lines - No Dispatch)		100		99.29		100		100		100	
PR-5-01-3343	% Missed Appointment - Verizon Facilities	0.4	0	1.24	0	0.41	5.56	0.73	0	1.05	4.55	
PR-5-02-3343	% Orders Held for Facilities > 15 Days	0	0	0.1	0	0	0	0	0	0.12	0	
PR-1 - Average Interval Offered												
PR-1-01-3345	Av. Interval Offered – Total No Dispatch	2.93	NA	2.88	NA	2.92	NA	2.97	NA	2.97	NA	
PR-1-02-3345	Av. Interval Offered – Total Dispatch	3	NA	3	NA	2.99	NA	3	NA	2.99	NA	
PR-3-03-3345	% Completed in 3 Days (1-5 Lines - No Dispatch)	99.91	NA	99.93	NA	99.86	NA	99.89	NA	99.95	NA	
PR-3-03-3345x	% Completed in 3 Days (1-5 Lines - No Dispatch)		NA		NA		NA		NA		NA	
PR-4-02-3345	Average Delay Days – Total	2.2	NA	3.36	NA	1.45	NA	1.85	NA	3.2	NA	
PR-4-03-3345	% Missed Appointment – Customer		NA		NA		NA		NA		NA	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-5-02-3345	% Orders Held for Facilities > 15 Days	0	NA	0.1	NA	0	NA	0	NA	0.12	NA	
PR-8-02-3345	Open Orders in a Hold Status > 90 Days	0	NA	0	NA	0	NA	0	NA	0	NA	
PR-1 - Average Interval Offered												
PR-1-06-3200	Av. Interval Offered – DS0	9.95	NA	10.31	NA	11	NA	11.1	NA	10.02	NA	
PR-1-07-3200	Av. Interval Offered – DS1	16.3	14.88	17.83	16.71	19.91	18.73	19.87	19.66	21.79	16.73	
PR-1-08-3200	Av. Interval Offered – DS3	35.14	NA	32.39	NA	51.33	NA	22.29	NA	45.13	NA	
PR-1-09-3511	Av. Interval Offered – Total - EEL – Backbone		NA		10		58		NA		NA	2,3
PR-1-09-3512	Av. Interval Offered – Total - EEL – Loop		20.5		19.78		15.5		17.92		20.5	
PR-1-09-3530	Av. Interval Offered – Total - IOF		13.47		13.89		10.81		17.5		12.69	
PR-1-12-3200	Av. Interval Offered – Disconnects	11.59	5.73	10.15	7.46	10.62	6.81	12.16	6.92	12.77	6.7	
PR-5-01-3200	% Missed Appointment – Verizon – Facilities	0	0.72	0.42	0.5	0.79	1.14	0.21	2.03	1.76	1.43	
PR-5-02-3200	% Orders Held for Facilities > 15 Days	0	0.72	0	0	0	0	0	0	0	0	
PR-5-04-3200	% Orders Cancelled (> 5 days) after Due Date - Due to Facilities		0		0		0		0		0	
PR-8-01-3510	Open Orders in a Hold Status > 30 Days - EEL	0	0	0	0	0	0	0.32	0	0.44	0	
PR-8-01-3530	Open Orders in a Hold Status > 30 Days - IOF	20	0	16.67	0	30	0	14.29	0	12.5	0	
PR-8-02-3510	Open Orders in a Hold Status > 90 Days - EEL	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3530	Open Orders in a Hold Status > 90 Days - IOF	0	0	8.33	0	10	0	7.14	0	12.5	0	
MR-4-04-3550	% Cleared (all troubles) within 24 Hours	77.03	87.85	74.6	89.89	73.89	87.39	69.12	87.65	67.45	86.95	
MR-4-07-3550	% Out of Service > 12 Hours	57.2	48.08	57.8	48.09	58.23	45.94	62.79	47.83	60.04	51.69	
MR-4-08-3550	% Out of Service > 24 Hours	22.85	12.09	24.94	10.85	25.08	13.45	30.04	11.96	30.86	13.48	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-03-3140	% CPE/TOK/FOK - Missed Appointment - Platform		6.5		6.8		5.94		7.18		8.58	
MR-4-02-3144	Mean Time To Repair – Loop Trouble - Platform - Bus.	12.05	11.2	12.56	12.43	12.48	11.63	12.29	11.3	10.96	9.58	
MR-4-02-3145	Mean Time To Repair – Loop Trouble - Platform - Res.	20.36	18.05	21.5	20.98	22.01	21.93	23.68	19.8	23.51	20.32	
MR-4-03-3144	Mean Time To Repair – Central Office Trouble - Bus.	8	6.05	8.36	8.24	7.62	5.26	7.44	5.09	7.8	7.98	
MR-4-03-3145	Mean Time To Repair – Central Office Trouble - Res.	9.61	9.48	9.13	4.85	10.32	8.46	10.79	22.22	11.33	13.15	1,3
MR-4-08-3144	% Out of Service > 24 Hours - Bus.	11.53	6.9	12.24	9.66	11.35	14.62	12.57	9.15	10.16	4.89	
MR-4-08-3145	% Out of Service > 24 Hours - Res.	25.32	16.98	27.71	24.49	27.9	35.29	33.32	28.85	34.67	30.67	
MR-2-05-3341	% CPE/TOK/FOK Trouble Report Rate		1.21		1.6		1.05		0.98		0.64	
MR-3-03-3341	% CPE/TOK/FOK - Missed Appointment		0		1.61		2.5		5.41		0	
MR-4-04-3341	% Cleared (all troubles) within 24 Hours	76.96	78.95	74.58	94.44	73.84	77.78	69.1	95	67.44	86.11	
MR-2-04-3342	% Subsequent Reports		13.82		18.25		10.92		24		40.59	
MR-2-05-3342	% CPE/TOK/FOK Trouble Report Rate		0.65		0.7		0.81		0.75		0.72	
MR-3-03-3342	%CPE/TOK/FOK - Missed Appointment		1.09		0		0		1.89		0.99	
MR-4-04-3342	% Cleared (all troubles) within 24 Hours	76.96	87.74	74.58	85.71	73.84	86.79	69.1	85.26	67.44	89.11	
MR-2-04-3343	% Subsequent Reports		25		60		40		30		42.86	1,2
MR-2-05-3343	% CPE/TOK/FOK Trouble Report Rate		0.77		0.79		0.94		0.92		1.03	
MR-3-03-3343	%CPE/TOK/FOK - Missed Appointment		9.52		4.55		11.11		18.52		3.23	
MR-4-04-3345	% Cleared (all troubles) within 24 Hours	70.49	NA	74.65	NA	64.78	NA	60.25	NA	63.9	NA	
MR-4-07-3345	% Out of Service > 12 Hours	63.96	NA	59.37	NA	70.94	NA	72.35	NA	69.95	NA	
MR-4-08-3345	% Out of Service > 24 Hours	28.98	NA	25.07	NA	32.2	NA	38.44	NA	35.52	NA	
MR-4-04-3216	% Cleared (all troubles) within 24 Hours - Non DS0 & DS0	97.23	NA	98.14	NA	96.92	NA	94.52	NA	95.51	NA	
MR-4-04-3217	% Cleared (all troubles) within 24 Hours - DS1 & DS3	97.26	95.92	95.56	98.55	97.14	96.43	92.99	98.65	97.38	97.09	

MASSACHUTTES PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-06-3216	% Out of Service > 4 Hours - Non DS0 & DS0	53.65	NA	57.59	NA	60.81	NA	68.37	NA	63.95	NA	
MR-4-06-3217	% Out of Service > 4 Hours - DS1 & DS3	59.53	55	67.71	54.24	67.49	67.35	69.66	78.79	69.78	60.87	
MR-4-08-3216	% Out of Service > 24 Hours - Non DS0 & DS0	2.86	NA	1.9	NA	3.01	NA	5.45	NA	3.77	NA	
MR-4-08-3217	% Out of Service > 24 Hours - DS1 & DS3	2.79	2.5	4.48	1.69	2.88	2.04	7.12	1.52	2.64	3.26	
PR-8-01-5000	Open Orders in a Hold Status > 30 Days	0	0	0.04	0	0	0.01	4.4	0.65	0	0	
PR-8-02-5000	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0.01	0	0.65	0	0	
NP-1-01-5000	% Final Trunk Groups Exceeding Blocking Standard	0.65	0	1.96	0	0.67	0	0.34	0	0.74	0	

Abbreviations: NA = No Activity.
UD = Under Development.
NEF = No Existing Functionality
blank cell = No data provided.
VZ = Verizon retail analog. If no data was provided, the metric may have a benchmark.

Notes:
1 = Sample Size under 10 for February.
2 = Sample Size under 10 for March.
3 = Sample Size under 10 for April.
4 = Sample Size under 10 for May.
5 = Sample Size under 10 for June.

Appendix D

Delaware Performance Metrics

All data included here are taken from the Delaware Carrier-to-Carrier Reports. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics nor that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development). Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided, there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare the data over time.

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
Preorder and OSS Availability:	
OR-1-02	% On Time LSRC - Flow Through
OR-1-04	% On Time LSRC (Electronic - No Flow Through)
OR-1-06	% On Time LSRC (Electronic - No Flow Through)
OR-1-08	% On Time LSRC (Fax)
OR-1-10	% On Time LSRC Lines (Fax)
OR-1-11	Average Firm Order Confirmation (FOC) Time <=192 Forecasted Trunks
OR-1-12	% On Time FOC <= 192 Forecasted Trunks
OR-1-13	% On Time Design Layout Record (DLR)
PO-1-01	Average Response Time – Customer Service Record
PO-1-02	Average Response Time - Due Date Availability
PO-1-03	Average Response Time - Address Validation
PO-1-04	Average Response Time - Product and Service Availability
PO-1-05	Average Response Time - Telephone Number Availability and Reservation
PO-1-06	Average Response Time - Facility Availability - (ADSL Loop Qualification)
PO-1-07	Average Response Time - Rejected Query
PO-2-01	OSS Interface Availability – Total - Electronic Bonding - Maintenance
PO-2-02	OSS Interface Availability – Prime Time - EDI - Pre-Ordering
PO-2-03	OSS Interface Availability – Non-Prime Time - Electronic Bonding - Maintenance
PO-3-02	% Answered within 20 Seconds – Ordering
PO-3-04	% Answered within 20 Seconds – Repair
PO-5-01	Average Notice of Interface Outage
PO-8-01	% On Time - Manual Loop Qualification
PO-8-02	% On Time - Engineering Record Request
MR-1-01	Average Response Time - Create Trouble - Electronic Bonding

Metric Number	Metric Name
Provisioning:	
PR-2-01	Average Interval Completed – Total No Dispatch
PR-2-02	Average Interval Completed – Total Dispatch
PR-2-03	Average Interval Completed – Dispatch (1-5 Lines)
PR-2-04	Average Interval Completed - Dispatch (6-9 Lines)
PR-2-05	Average Interval Completed - Dispatch (>= 10 Lines)
PR-2-06	Average Interval Completed - DS0
PR-2-07	Average Interval Completed – DS1
PR-2-08	Average Interval Completed – DS3
PR-2-09	Average Interval Completed – Total
PR-4-01	% Missed Appt. – VZ – Total
PR-4-02	Average Delay Days – Total
PR-4-03	% Missed Appt. – Customer
PR-4-04	% Missed Appt. – VZ – Dispatch
PR-4-05	% Missed Appt. – VZ – No Dispatch
PR-4-07	% On Time Performance - LNP
PR-4-08	% Missed Appt. – Customer – Due to Late Order Confirmation
PR-4-14	% Completed on Time
PR-5-01	% Missed Appointment – Verizon – Facilities
PR-5-02	% Orders Held for Facilities > 15 Days
PR-5-03	% Orders Held for Facilities > 60 Days
PR-6-01	% Installation Troubles reported within 30 Days
PR-6-02	% Installation Troubles reported within 7 Days
PR-6-03	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE
PR-8-01	% Open Orders in a Hold Status > 30 Days

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
MR-1-02	Average Response Time - Status Trouble - Electronic Bonding
MR-1-03	Average Response Time - Modify Trouble - Electronic Bonding
MR-1-04	Average Response Time - Request Cancellation of Trouble - Electronic Bonding
MR-1-05	Average Response Time - Trouble Report History (by TN/Circuit) - Electronic Bonding
MR-1-06	Average Response Time - Test Trouble (POTS Only) - Electronic Bonding
Change Management, Billing, OS/DA, Interconnection and Collocation:	
BI-1-02	% DUF in 4 Business Days
BI-2-01	Timeliness of Carrier Bill - Paper Bills
BI-2-02	Timeliness of Carrier Bill - Electronic Bills - BOS BDT format
BI-3-01	% Billing Adjustments - Paper Bills (CRIS & CABS combined)
BI-3-03	% Billing Adjustments - Electronic Bills - BOS BDT format
NP-1-01	% FTG Exceeding Blocking Standard - Final Trunks
NP-1-02	% FTG Exceeding Blocking Standard (No Exceptions) - Final Trunks
NP-1-03	Number Dedicated FTG Exceeding Blocking Standard – 2 Months
NP-1-04	Number Dedicated FTG Exceeding Blocking Standard – 3 Months
NP-2-01	% On Time Response to Request for Physical Collocation
NP-2-02	% On Time Response to Request for Virtual Collocation
NP-2-03	Average Interval – Physical Collocation
NP-2-04	Average Interval – Virtual Collocation
NP-2-05	% On Time – Physical Collocation
NP-2-06	% On Time – Virtual Collocation
NP-2-07	Average Delay Days – Physical Collocation

Metric Number	Metric Name
PR-8-02	% Open Orders in a Hold Status > 90 Days
PR-9-01	% On Time Performance - Hot Cuts - Loop
PR-2-10	Average Interval Completed – Disconnects – No Dispatch
PR-2-11	Average Interval Completed – Disconnects – Dispatch
Maintenance and Repair:	
MR-2-01	Network Trouble Report Rate
MR-2-02	Network Trouble Report Rate – Loop
MR-2-03	Network Trouble Report Rate – Central Office
MR-2-04	% Subsequent Reports
MR-2-05	% CPE/TOK/FOK Trouble Report Rate
MR-3-01	% Missed Repair Appointment – Loop
MR-3-02	% Missed Repair Appointment – Central Office
MR-3-03	% Missed Repair Appointment — CPE /TOK/FOK
MR-4-01	Mean Time To Repair – Total
MR-4-02	Mean Time to Repair - Loop Trouble
MR-4-03	Mean Time To Repair – Central Office Trouble
MR-4-04	% Cleared (all troubles) within 24 Hours
MR-4-05	% Out of Service > 2 Hours
MR-4-06	% Out of Service > 4 hours
MR-4-07	% Out of Service > 12 hours
MR-4-08	% Out of Service > 24 Hours

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
NP-2-08	Average Delay Days – Virtual Collocation
Ordering:	
OR-2-02	% On Time LSR Reject - Flow Through
OR-2-04	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-06	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-08	% On Time LSR Reject (Fax)
OR-2-10	% On Time LSR Reject (Fax)
OR-2-11	Average Trunk ASR Reject Time <= 192 Forecasted Trunks
OR-2-12	% On Time Trunk ASR Reject <= 192 Forecasted Trunks
OR-3-01	% Rejects
OR-4-02	Completion Notice – % On Time
OR-5-01	% Flow Through - Total
OR-5-02	% Flow Through - Simple
OR-6-01	% Accuracy - Orders
OR-6-02	% Accuracy – Opportunities
OR-6-03	% Accuracy – Local Service Confirmation
OR-7-01	% Order Confirmations/Rejects Sent Within 3 Business Days

Metric Number	Metric Name
MR-5-01	% Repeat Reports within 30 Days

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OSS & BILLING (Pre-Ordering) - POTS/Special Services												
PRE-ORDERING												
PO-1 - Response Time OSS Pre-Ordering Interface												
PO-1-01-6022	Average Response Time – Customer Service Record - EDI - PA/DE	0.34	3.08	0.38	3.41	0.33	3.67	0.33	3.45	0.35	2.97	
PO-1-01-6052	Average Response Time – Customer Service Record - Web GUI- PA/DE	0.34	2.44	0.38	2.61	0.33	2.36	0.33	4.03	0.35	2.4	
PO-1-02-6022	Average Response Time - Due Date Availability - EDI - PA/DE	0.89	3.45	0.93	5.3	0.84	3.88	1.01	3.89	0.99	4.12	
PO-1-02-6052	Average Response Time - Due Date Availability - Web GUI - PA/DE	0.89	3.27	0.93	3.39	0.84	3.1	1.01	5.12	0.99	3.51	
PO-1-03-6022	Average Response Time - Address Validation - EDI- PA/DE	9.18	5.02	8.8	4.99	8.76	5.44	9.02	5.49	8.17	5.27	
PO-1-03-6052	Average Response Time - Address Validation - Web GUI - PA/DE	9.18	5.66	8.8	5.98	8.76	5.63	9.02	7.64	8.17	6.36	
PO-1-04-6022	Average Response Time - Product and Service Availability - EDI - PA/DE	13.91	NA	13.49	NA	13.65	14.28	14.09	13.19	13.22	13.28	
PO-1-04-6052	Average Response Time - Product and Service Availability - Web GUI - PA/DE	13.91	13.28	13.49	14.34	13.65	13.55	14.09	16.32	13.22	18.51	
PO-1-05-6022	Average Response Time - Telephone Number Availability and Reservation - EDI - PA/DE	0.82	10.61	0.75	8.17	0.76	6.78	0.82	6.73	0.8	5.38	
PO-1-05-6052	Average Response Time - Telephone Number Availability and Reservation - Web GUI - PA/DE	0.82	6.75	0.75	6.82	0.76	6.73	0.82	8.6	0.8	7.32	
PO-1-06-6022	Average Response Time - Facility Availability - (ADSL Loop Qualification) - EDI - PA/DE	15.19	4.62	15.4	4.2	15.51	5.43	16.63	6.03	15.59	5.31	
PO-1-06-6052	Average Response Time - Facility Availability - (ADSL Loop Qualification) - Web GUI - PA/DE	15.19	4.46	15.4	4.69	15.51	4.41	16.63	7.01	15.59	5.04	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-1-07-6022	Average Response Time - Rejected Query - EDI - PA/DE	0.1	2.85	0.11	3.07	0.09	3.31	0.1	3.26	0.11	3.38	
PO-1-07-6052	Average Response Time - Rejected Query - Web GUI - PA/DE	0.1	3.67	0.11	4.08	0.09	3.63	0.1	5.33	0.11	3.82	
PO-2 - OSS Interface Availability												
PO-2-01-6040	OSS Interface Availability – Total - Web - GUI Maintenance - DE		99.75		99.72		99.28		99.98		99.75	1,2,3,5
PO-2-01-6060	OSS Interface Availability – Total - Electronic Bonding - Maintenance - DE		100		100		100		100		100	
PO-2-02-6020	OSS Interface Availability – Prime Time - EDI - Pre-Ordering - DE		99.72		100		100		100		99.79	1,5
PO-2-02-6040	OSS Interface Availability – Prime Time - Web GUI - Maintenance - DE		99.61		99.55		99.93		100		99.64	1,2,5
PO-2-02-6050	OSS Interface Availability – Prime Time - Web GUI - Pre-Ordering - DE		99.56		99.65		99.92		100		99.6	1,2,5
PO-2-02-6060	OSS Interface Availability – Prime Time - Electronic Bonding - Maintenance - DE		100		100		100		100		100	
PO-2-03-6040	OSS Interface Availability – Non-Prime Time - Web GUI - Maintenance - DE		100		100		98.08		99.94		99.94	3
PO-2-03-6060	OSS Interface Availability – Non-Prime Time - Electronic Bonding - Maintenance - DE		100		100		100		100		100	
PO-3 - Contact Center Availability												
PO-3-02-2004	% Answered within 20 Seconds – Ordering - Pittsburgh		92.87		92.37		91.48		89.45			
PO-3-04-2002	% Answered within 20 Seconds – Repair - Richmond		87.2		86.71		85.6		86.4		86.2	
PO-5 - Average Notification of Interface Outage												
PO-5-01-2030	Average Notice of Interface Outage		15		15		NA		NA		20	1,2,5
PO-8 - Manual Loop Qualification												
PO-8-01-3300	% On Time - Manual Loop Qualification		100		100		100		100		100	1,2,3,4,5

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-8-02-3300	% On Time - Engineering Record Request		NA		NA		NA		NA		NA	
TROUBLE REPORTING (OSS)												
MR-1 - Response Time OSS Maintenance Interface												
MR-1-01-6040	Average Response Time - Create Trouble - Web GUI	8.28	3.46	8.72	3.77	8.31	3.65	8.82	3.55	8.56	3.63	
MR-1-01-6060	Average Response Time - Create Trouble - Electronic Bonding	8.28	11.01	8.72	13.05	8.31	14.27	8.82	16.25	8.56	18.19	
MR-1-02-6040	Average Response Time - Status Trouble - Web GUI	4.37	7.89	4.46	4.04	4.36	2.5	4.38	NA	4.32	NA	1,2,3
MR-1-02-6060	Average Response Time - Status Trouble - Electronic Bonding	4.37	0.19	4.46	NA	4.36	NA	4.38	0.19	4.32	NA	1,4
MR-1-03-6040	Average Response Time - Modify Trouble - Web GUI	7.98	NA	8.38	NA	8.06	NA	8.49	NA	8.23	NA	
MR-1-03-6060	Average Response Time - Modify Trouble - Electronic Bonding	7.98	8.78	8.38	7.92	8.06	14.12	8.49	5.9	8.23	6.86	4
MR-1-04-6040	Average Response Time - Request Cancellation of Trouble - Web GUI	9.47	NA	9.9	5.35	9.5	NA	9.77	NA	9.83	NA	2
MR-1-04-6060	Average Response Time - Request Cancellation of Trouble - Electronic Bonding	9.47	NA	9.9	NA	9.5	NA	9.77	NA	9.83	NA	
MR-1-05-6040	Average Response Time - Trouble Report History (by TN/Circuit) - Web GUI	0.48	0.78	0.49	0.82	0.51	0.97	0.49	0.84	0.53	2.59	5
MR-1-05-6060	Average Response Time - Trouble Report History (by TN/Circuit) - Electronic Bonding	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	
MR-1-06-6040	Average Response Time - Test Trouble (POTS Only) - Web Gui	47.53	42.65	47.9	45.98	48.2	41.59	46.81	56.7	47.77	42.55	
MR-1-06-6060	Average Response Time - Test Trouble (POTS Only) - Electronic Bonding	47.53	NA	47.9	NA	48.2	NA	46.81	NA	47.77	NA	
BILLING												
BI-1 - Timeliness of Daily Usage Feed												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
BI-1-02-2030	% DUF in 4 Business Days		99.27		99.1		99.47		98.11		98.25	
BI-2 - Timeliness of Carrier Bill												
BI-2-01-2030	Timeliness of Carrier Bill - Paper Bills		100		100		100		100		100	
BI-2-02-2030	Timeliness of Carrier Bill - Electronic Bills - BOS BDT format		100		100		100		100		100	
BI-3 - Billing Accuracy												
BI-3-01-2030	% Billing Adjustments - Paper Bills (CRIS & CABS combined)	0.57	0.72	0.46	0.01	0.17	3.28	0.78	1.61	0.55	2.72	
BI-3-03-2030	% Billing Adjustments - Electronic Bills - BOS BDT format	0.57	0	0.46	0	0.17	0.06	0.78	0.02	0.55	0.04	
Resale (Ordering) - POTS/Special Services												
POTS/ Pre-Qualified Complex (combined data)												
OR-1 - Order Confirmation Timeliness												
OR-1-02-2320	% On Time LSRC - Flow Through		100		100		100		100		98.03	
OR-1-04-2320	% On Time LSRC < 10 Lines (Electronic - No Flow Through)		100		99.8		100		100		97.6	
OR-1-06-2320	% On Time LSRC >=10 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,3,5
OR-1-08-2320	% On Time LSRC < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2320	% On Time LSRC >= 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-2320	% On Time LSR Reject - Flow Through		100		100		100		100		99.4	
OR-2-04-2320	% On Time LSR Reject < 10 Lines (Electronic - No Flow Through)		100		100		100		100		100	
OR-2-06-2320	% On Time LSR Reject >= 10 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,3,4,5
OR-2-08-2320	% On Time LSR Reject < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-2320	% On Time LSR Reject >=10 Lines (Fax)		NA		NA		NA		NA		NA	
Complex Services - 2 Wire Digital												
OR-1 - Order Confirmation Timeliness												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-04-2341	% On Time LSRC < 6 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,2,3,4,5
OR-1-06-2341	% On Time LSRC >= 6 Lines (Electronic - No Flow Through)		100		NA		NA		NA		NA	1
OR-1-08-2341	% On Time LSRC < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2341	% On Time LSRC >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2341	% On Time LSR Reject < 6 Lines (Electronic - No Flow Through)		100		100		100		NA		NA	1,2,3
OR-2-06-2341	% On Time LSR Reject >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2-08-2341	% On Time LSR Reject < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-2341	% On Time LSR Reject >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2342	% On Time LSRC < 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-2342	% On Time LSRC >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-08-2342	% On Time LSRC < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2342	% On Time LSRC >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2342	% On Time LSR Reject < 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2-06-2342	% On Time LSR Reject >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2-08-2342	% On Time LSR Reject < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-2342	% On Time LSR Reject >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
Special Services												
OR-1 - Order Confirmation Timeliness												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-04-2214	*% On Time LSRC < 10 Lines - Non-DS0,* DS1, & DS3 (Electronic - No Flow Through)		NA		NA		100		100		100	3,4,5
OR-1-06-2210	% On Time LSRC >=10 Lines - DS0 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-2211	% On Time LSRC >=10 Lines - DS1 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-2213	% On Time LSRC >=10 Lines - DS3 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-2214	% On Time LSRC >=10 Lines - Non-DS0, DS1, & DS3 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-08-2214	% On Time LSRC < 10 Lines - Non DS0,DS1, & DS3 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2210	% On Time LSRC >= 10 Lines - DS0 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2211	% On Time LSRC >= 10 Lines - DS1 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2213	% On Time LSRC >= 10 Lines - DS3 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-2214	% On Time LSRC >= 10 Lines - Non DS0,DS1, & DS3 (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-04-2200	% On Time LSR Reject < 10 Lines (Electronic - No Flow Through)		NA		100		100		NA		100	2,3,5
OR-2-06-2200	% On Time LSR Reject >= 10 Lines (Electronic - No Flow Through)		100		NA		NA		NA		NA	1
OR-2-08-2200	% On Time LSR Reject < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-2200	% On Time LSR Reject >=10 Lines (Fax)		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-2000	% Rejects		16.8		20.65		18.27		14.64		20.7	
OR-4 - Timeliness of Completion Notification												
OR-4-02-2000	Completion Notice – % On Time		100		100		100		100		99.61	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-5 - Percent Flow-Through												
OR-5-01-2000	% Flow Through - Total		65.43		62.63		68.12		83.52		84.83	
OR-6 - Order Accuracy												
OR-6-01-2000	% Accuracy - Orders		99.03		99.75		99.5		96.6		97.5	
OR-6-02-2000	% Accuracy – Opportunities		99.9		99.98		99.96		99.65		99.73	
OR-6-03-2000	% Accuracy – Local Service Confirmation		0		0		0		0		0	
Resale (Provisioning) - POTS/Special Services												
POTS - Provisioning - Total												
PR-2 - Average Completed Interval												
PR-2-04-2100	Average Interval Completed - Dispatch (6-9 Lines)	8.38	NA	5.5	1	4.22	NA	8.67	NA	5.42	NA	2
PR-2-05-2100	Average Interval Completed - Dispatch (>= 10 Lines)	4.5	1	6.25	NA	6	10	6.8	NA	6.17	NA	1,3
PR-4 - Missed Appointments												
PR-4-02-2100	Average Delay Days – Total	1.89	1.57	2.06	3.11	2.34	1	1.85	2	1.83	1.25	1,3,4,5
PR-4-03-2100	% Missed Appt. – Customer		2.1		1.62		2		1.6		1.24	
PR-4-04-2100	% Missed Appt. – VZ – Dispatch	11.78	3.18	12.73	3.41	19	1	16.76	2.98	21.11	5.63	
PR-4-05-2100	% Missed Appt. – VZ – No Dispatch	0.05	0	0.05	0	0.08	0	0.03	0	0.12	0	
PR-4-08-2100	% Missed Appt. – Customer – Due to Late Order Confirmation		0		0		0		0		0	
PR-6 - Installation Quality												
PR-6-01-2100	% Installation Troubles reported within 30 Days	1.78	1.69	2.04	2.15	1.95	2.18	1.95	2.12	2.32	2.9	
PR-6-02-2100	% Installation Troubles reported within 7 Days	1.09	1.31	1.22	1.18	1.11	1.04	1.14	1.54	1.39	2.05	
PR-6-03-2100	% Installation Troubles reported within 30 Days – FOK/TOK/CPE		2.72		1.11		2.56		1.35		2.05	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2100	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-2100	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
POTS - Business												
PR-2 - Average Completed Interval												
PR-2-01-2110	Average Interval Completed – Total No Dispatch	1.44	1.11	1.63	1.58	1.77	1.32	2.22	4.69	1.66	1.58	
PR-2-03-2110	Average Interval Completed – Dispatch (1-5 Lines)	4.1	3.5	4.53	4.5	4.64	3.43	4.29	4.13	3.94	3	1,2,3,4,5
POTS - Residence												
PR-2 - Average Completed Interval												
PR-2-01-2120	Average Interval Completed – Total No Dispatch	0.99	0.81	1	1.15	1.07	1.06	1.12	1.22	1.17	1.23	
PR-2-03-2120	Average Interval Completed – Dispatch (1-5 Lines)	4.09	2.56	4.23	2.49	4.2	2.42	4.39	2.41	4.26	2.57	
Complex Services - 2 Wire Digital												
PR-2 - Average Completed Interval												
PR-2-01-2341	Average Interval Completed – Total No Dispatch	6	NA	6	NA	NA	NA	NA	NA	NA	NA	
PR-2-02-2341	Average Interval Completed – Total Dispatch	6	NA	5	NA	6	7	5.75	NA	5.9	4	3,5
PR-4 - Missed Appointment												
PR-4-02-2341	Average Delay Days – Total	2	1	10.83	2	4.42	NA	2	NA	4.88	NA	1,2
PR-4-03-2341	% Missed Appt. – Customer		20		20		16.67		0		0	1,2,3,4,5
PR-4-04-2341	% Missed Appt. – VZ – Dispatch	0	0	4.12	33.33	14.29	0	1.49	0	0	0	1,2,3,4,5
PR-4-05-2341	% Missed Appt. – VZ – No Dispatch	0	0	2.56	0	0	NA	0	NA	0	NA	1,2
PR-4-08-2341	% Missed Appt. – Customer – Due to Late Order Confirmation		0		0		0		0		0	1,2,3,4,5
PR-6 - Installation Quality												
PR-6-01-2341	% Installation Troubles reported within 30 Days	0	0	0	0	1.22	0	2.47	0	4.35	0	1,2,3,4,5
PR-6-03-2341	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		0		0		0		0	1,2,3,4,5
PR-8 - Open Orders in a Hold Status												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-8-01-2341	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	1,2,3,4,5
PR-8-02-2341	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	1,2,3,4,5
Complex Services - 2 Wire xDSL												
PR-2 - Average Completed Interval												
PR-2-01-2342	Average Interval Completed – Total No Dispatch	2.14	NA	2.33	NA	3.01	NA	3	NA	3.02	NA	
PR-2-02-2342	Average Interval Completed – Total Dispatch	2.3	NA	2.78	NA	3	NA	2.95	NA	3	NA	
PR-4 - Missed Appointment												
PR-4-02-2342	Average Delay Days – Total	1	NA	1	NA	1	NA	1	NA	1	NA	
PR-4-03-2342	% Missed Appt. – Customer		0		NA		NA		NA		NA	1
PR-4-04-2342	% Missed Appt. – VZ – Dispatch	0	NA	0	NA	0	NA	0	NA	0	NA	
PR-4-05-2342	% Missed Appt. – VZ – No Dispatch	0	0	0.45	NA	0.16	NA	0.63	NA	0.89	NA	1
PR-4-08-2342	% Missed Appt. – Customer – Due to Late Order Confirmation		0		NA		NA		NA		NA	1
PR-6 - Installation Quality												
PR-6-01-2342	% Installation Troubles reported within 30 Days	0.22	0	0.59	NA	0	NA	0.2	NA	0.85	NA	1
PR-6-03-2342	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		NA		NA		NA		NA	1
PR-8 - Open Orders in a Hold Status												
PR-8-01-2342	% Open Orders in a Hold Status > 30 Days	0	0	0	NA	0	NA	0	NA	0	NA	1
PR-8-02-2342	% Open Orders in a Hold Status > 90 Days	0	0	0	NA	0	NA	0	NA	0	NA	1
POTS & Complex Aggregate												
PR-2 - Average Completed Interval												
PR-2-10-2103	Average Interval Completed – Disconnects – No Dispatch	3.5	1.95	3.7	6.52	3.79	3.1	4.04	0.54	4.3	0.48	
PR-2-11-2103	Average Interval Completed – Disconnects – Dispatch	3.78	NA	2.33	NA	4.97	NA	4.34	NA	3.59	NA	
Special Services - Provisioning												
PR-2 - Average Completed Interval												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-2-01-2200	Average Interval Completed – Total No Dispatch	5.75	NA	6.4	NA	7.5	NA	5.6	NA	7.6	NA	
PR-2-02-2200	Average Interval Completed – Total Dispatch	6	NA	8.91	NA	7.45	NA	5.63	NA	7.79	7	5
PR-2-06-2210	Average Interval Completed - DSO	5.29	NA	11	NA	7.67	NA	5.08	NA	7.25	7	5
PR-2-07-2211	Average Interval Completed – DS1	6.44	NA	7.71	NA	7.38	NA	6.5	NA	7.87	NA	
PR-2-08-2213	Average Interval Completed – DS3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-2-10-2200	Average Interval Completed – Disconnects – No Dispatch	6.71	NA	4.17	6	4.65	NA	9.67	NA	5.29	NA	2
PR-2-11-2200	Average Interval Completed – Disconnects – Dispatch	4.5	NA	4.6	4	5.71	NA	13.38	NA	3	NA	2
PR-4 - Missed Appointments												
PR-4-01-2200	% Missed Appt. – VZ – Total	0	NA	1.14	NA	0	0	0	NA	2.33	0	3,5
PR-4-02-2200	Average Delay Days – Total	NA	NA	1	NA	NA	NA	NA	NA	4	NA	
PR-4-03-2200	% Missed Appt. – Customer		NA		NA		100		NA		0	3,5
PR-4-08-2200	% Missed Appt. – Customer – Due to Late Order Confirmation		NA		NA		0		NA		0	3,5
PR-6- Installation Quality												
PR-6-01-2200	% Installation Troubles reported within 30 Days	5.38	NA	2.75	NA	5.33	0	0	NA	2	0	
PR-6-03-2200	% Installation Troubles reported within 30 Days – FOK/TOK/CPE		NA		NA		0		NA		0	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2200	% Open Orders in a Hold Status > 30 Days	0	NA	0	NA	0	0	0	NA	0	0	3,5
PR-8-02-2200	% Open Orders in a Hold Status > 90 Days	0	NA	0	NA	0	0	0	NA	0	0	3,5
Resale (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-2100	Network Trouble Report Rate – Loop	0.89	0.67	1.3	0.89	1.23	0.91	1.33	0.9	1.47	0.86	
MR-2-03-2100	Network Trouble Report Rate – Central Office	0.09	0.09	0.09	0.05	0.07	0.1	0.06	0.1	0.14	0.11	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-2-04-2100	% Subsequent Reports		0		4.17		3.39		6.09		3.7	
MR-2-05-2100	% CPE/TOK/FOK Trouble Report Rate	0.52	0.57	0.59	0.5	0.63	0.59	0.72	0.63	0.86	0.71	
MR-3 - Missed Repair Appointments												
MR-3-01-2100	% Missed Repair Appointment – Loop	13.86	12.2	20.6	14.68	20.25	13.59	18.62	18.56	24.55	22.83	
MR-3-02-2100	% Missed Repair Appointment – Central Office	11.18	9.09	10.48	0	6.27	0	7.76	0	3.65	0	2
MR-3-03-2100	% Missed Repair Appointment — CPE /TOK/FOK	8.13	4.35	8.79	4.92	11.87	5.97	9.33	4.41	12.6	15.79	
MR-4 - Trouble Duration Intervals												
MR-4-01-2100	Mean Time To Repair – Total	17.85	15.82	19.1	16.74	19.8	18.12	19.94	17.97	21.93	18.45	
MR-4-02-2100	Mean Time to Repair - Loop Trouble	18.62	17.13	19.65	16.78	20.49	19.07	20.56	19.19	23.02	20.42	
MR-4-03-2100	Mean Time To Repair – Central Office Trouble	10.27	6.08	11.38	16.03	6.84	9.25	6.86	7.21	10.71	3.4	2
MR-4-04-2100	% Cleared (all troubles) within 24 Hours	80.57	87.1	76.82	82.61	76.25	82.46	77.43	80.56	70.35	78.85	
MR-4-06-2100	% Out of Service > 4 hours	74.28	66.15	83.53	76.09	80.42	81.25	81.38	75.58	86.67	77.92	
MR-4-07-2100	% Out of Service > 12 hours	54.8	52.31	64.92	58.7	59.1	60	59.02	60.47	66.7	63.64	
MR-4-08-2100	% Out of Service > 24 Hours	11.53	7.69	17.75	10.87	15.63	10	14.06	15.12	23.28	15.58	
MR-5 - Repeat Trouble Reports												
MR-5-01-2100	% Repeat Reports within 30 Days	12.98	18.28	12.83	15.65	14.02	12.28	13.45	12.96	13.85	10.58	
Complex Services - 2 Wire Digital												
MR-2 - Trouble Report Rate												
MR-2-02-2341	Network Trouble Report Rate – Loop	0.45	0	0.38	0	0.66	2.04	0.36	3.23	0.45	0	
MR-2-03-2341	Network Trouble Report Rate – Central Office	0.05	0	0.1	0	0	0	0.23	0	0.1	0	
MR-2-04-2341	% Subsequent Reports		NA		NA		0		33.33		NA	3,4
MR-2-05-2341	% CPE/TOK/FOK Trouble Report Rate	1.21	1.92	0.98	3.64	1.06	8.16	1.27	3.23	0.93	1.49	
MR-3 - Missed Repair Appointments												
MR-3-01-2341	% Missed Repair Appointment – Loop	50	NA	53.33	NA	53.85	0	42.86	100	61.11	NA	3,4
MR-3-02-2341	% Missed Repair Appointment – Central Office	0	NA	0	NA	NA	NA	22.22	NA	25	NA	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-03-2341	% Missed Repair Appointment — CPE /TOK/FOK	27.08	0	20.51	0	33.33	25	22	0	37.84	100	1,2,3,4,5
MR-4 - Trouble Duration Intervals												
MR-4-01-2341	Mean Time To Repair – Total	19.34	NA	20.46	NA	52.63	19.7	25.02	50.94	33.76	NA	3,4
MR-4-02-2341	Mean Time to Repair - Loop Trouble	20.36	NA	20.63	NA	52.63	19.7	33.01	50.94	38.7	NA	3,4
MR-4-03-2341	Mean Time To Repair – Central Office Trouble	10.14	NA	19.82	NA	NA	NA	12.59	NA	11.53	NA	
MR-4-04-2341	% Cleared (all troubles) within 24 Hours	70	NA	52.63	NA	50	100	65.22	0	59.09	NA	3,4
MR-4-07-2341	% Out of Service > 12 hours	55.56	NA	80	NA	66.67	100	61.54	100	71.43	NA	3,4
MR-4-08-2341	% Out of Service > 24 Hours	33.33	NA	60	NA	41.67	0	30.77	100	57.14	NA	3,4
MR-5 - Repeat Trouble Reports												
MR-5-01-2341	% Repeat Reports within 30 Days	35	NA	21.05	NA	15.38	0	21.74	50	27.27	NA	3,4
Complex Services - 2 Wire xDSL												
MR-2 - Trouble Report Rate												
MR-2-02-2342	Network Trouble Report Rate – Loop	0.06	0	0.09	0	0	0	0	0	0.13	0	1,2
MR-2-03-2342	Network Trouble Report Rate – Central Office	0.02	0	0.02	0	0	0	0	0	0.06	0	1,2
MR-2-04-2342	% Subsequent Reports		NA		NA		NA		NA		NA	
MR-2-05-2342	% CPE/TOK/FOK Trouble Report Rate	0.65	0	0.57	0	0	0	0	0	1.51	0	1,2
MR-3 - Missed Repair Appointments												
MR-3-01-2342	% Missed Repair Appointment – Loop	0	NA	16.67	NA	NA	NA	NA	NA	22.22	NA	
MR-3-02-2342	% Missed Repair Appointment – Central Office	0	NA	0	NA	NA	NA	NA	NA	14.29	NA	
MR-3-03-2342	% Missed Repair Appointment — CPE /TOK/FOK	8.57	NA	9.68	NA	NA	NA	NA	NA	13.92	NA	
MR-4 - Trouble Duration Intervals												
MR-4-01-2342	Mean Time To Repair – Total	33.55	NA	19.97	NA	NA	NA	NA	NA	24.2	NA	
MR-4-02-2342	Mean Time to Repair - Loop Trouble	49.91	NA	22.97	NA	NA	NA	NA	NA	24.91	NA	
MR-4-03-2342	Mean Time To Repair – Central Office Trouble	9.03	NA	13.96	NA	NA	NA	NA	NA	23.3	NA	
MR-4-07-2342	% Out of Service > 12 hours	75	NA	77.78	NA	NA	NA	NA	NA	81.25	NA	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-08-2342	% Out of Service > 24 Hours	25	NA	33.33	NA	NA	NA	NA	NA	37.5	NA	
MR-5 - Repeat Trouble Reports												
MR-5-01-2342	% Repeat Reports within 30 Days	80	NA	22.22	NA	NA	NA	NA	NA	31.25	NA	
Special Services - Maintenance												
MR-4 - Trouble Duration Intervals												
MR-4-01-2200	Mean Time To Repair – Total	3.49	NA	6.69	NA	4.76	NA	5.11	NA	5	3.77	5
MR-4-02-2200	Mean Time to Repair - Loop Trouble - Specials	4.08	NA	8.91	NA	5.29	NA	4.93	NA	6.79	6.18	5
MR-4-04-2200	% Cleared (all troubles) within 24 Hours	100	NA	97.56	NA	100	NA	100	NA	100	100	5
MR-4-06-2200	% Out of Service > 4 hours - Specials	28	NA	48.78	NA	36.17	NA	54.29	NA	56.41	50	5
MR-4-07-2200	% Out of Service > 12 hours - Specials	0	NA	4.88	NA	4.26	NA	2.86	NA	7.69	0	5
MR-4-08-2200	% Out of Service > 24 Hours - Specials	0	NA	2.44	NA	0	NA	0	NA	0	0	5
MR-5 - Repeat Trouble Reports												
MR-5-01-2200	% Repeat Reports within 30 Days	12	NA	9.76	NA	21.28	NA	8.57	NA	15.38	0	5
UNE (Ordering) - POTS/Special Services												
POTS Loop/Pre-Qualified Complex/LNP (combined data)												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3331	% On Time LSRC - Flow Through		100		100		100		100		100	
OR-1-04-3331	% On Time LSRC < 10 Lines (Electronic - No Flow Through)		99.17		99.73		99.04		97.99		98.26	
OR-1-06-3331	% On Time LSRC >=10 Lines (Electronic - No Flow Through)		94.44		100		100		100		100	
OR-1-08-3331	% On Time LSRC < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3331	% On Time LSRC >= 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-3331	% On Time LSR Reject - Flow Through		100		100		100		100		100	
OR-2-04-3331	% On Time LSR Reject < 10 Lines (Electronic - No Flow Through)		97.75		100		100		100		100	
OR-2-06-3331	% On Time LSR Reject >= 10 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,2,3

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2-08-3331	% On Time LSR Reject < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-3331	% On Time LSR Reject >=10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-7 - Confirmations/Rejects Sent within 3 Business Days												
OR-7-01-3331	% Order Confirmations/Rejects Sent Within 3 Business Days		100		100		100		97.22		100	
POTS Platform												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3140	% On Time LSRC - Flow Through		100		100		100		100		100	
OR-1-04-3140	% On Time LSRC < 10 Lines (Electronic - No Flow Through)		100		99.05		99.03		97.32		100	
OR-1-06-3140	% On Time LSRC >=10 Lines (Electronic - No Flow Through)		100		100		96.67		100		100	4,5
OR-1-08-3140	% On Time LSRC < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3140	% On Time LSRC >= 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-3140	% On Time LSR Reject - Flow Through		100		100		100		100		100	
OR-2-04-3140	% On Time LSR Reject < 10 Lines (Electronic - No Flow Through)		98.48		98.55		98.82		98.36		100	
OR-2-06-3140	% On Time LSR Reject >= 10 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,2,3,4,5
OR-2-08-3140	% On Time LSR Reject < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-3140	% On Time LSR Reject >=10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-7 - Confirmations/Rejects Sent within 3 Business Days												
OR-7-01-3140	% Order Confirmations/Rejects Sent Within 3 Business Days		100		100		100		100		100	2,3
Complex Services - 2 Wire Digital												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3341	% On Time LSRC < 6 Lines (Electronic - No Flow Through)		100		100		100		100		100	2,3,4,5
OR-1-06-3341	% On Time LSRC >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-08-3341	% On Time LSRC < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3341	% On Time LSRC >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3341	% On Time LSR Reject < 6 Lines (Electronic - No Flow Through)		100		100		100		100		NA	1,2,3,4
OR-2-06-3341	% On Time LSR Reject >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2-08-3341	% On Time LSR Reject < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-3341	% On Time LSR Reject >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-08-3342	% On Time LSRC < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3342	% On Time LSRC >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-08-3342	% On Time LSR Reject < 6 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-3342	% On Time LSR Reject >= 6 Lines (Fax)		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL Loops												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3342	% On Time LSRC < 6 Lines (Electronic - No Flow Through)		75		100		100		100		100	1,3,4,5
OR-1-06-3342	% On Time LSRC >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3342	% On Time LSR Reject < 6 Lines (Electronic - No Flow Through)		100		100		100		100		100	1,2,3,4,5
OR-2-06-3342	% On Time LSR Reject >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL Line Sharing												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3343	% On Time LSRC < 6 Lines (Electronic - No Flow Through)		NA		NA		100		NA		100	3,5

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-3343	% On Time LSRC >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3343	% On Time LSR Reject < 6 Lines (Electronic - No Flow Through)		NA		NA		100		NA		NA	3
OR-2-06-3343	% On Time LSR Reject >= 6 Lines (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
Special Services												
OR-1 - Order Confirmation Timeliness												
OR-1-04-3214	% On Time LSRC < 10 Lines - Non-DS0, DS1, & DS3 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-3210	% On Time LSRC >=10 Lines - DS0 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-06-3211	% On Time LSRC >=10 Lines - DS1 (Electronic - No Flow Through)		NA		86.36		95.65		100		100	
OR-1-06-3213	% On Time LSRC >=10 Lines - DS3 (Electronic - No Flow Through)		NA		100		100		100		NA	2,3,4
OR-1-06-3214	% On Time LSRC >=10 Lines - Non-DS0, DS1, & DS3 (Electronic - No Flow Through)		NA		NA		NA		NA		NA	
OR-1-08-3214	% On Time LSRC < 10 Lines - Non DS0,DS1, & DS3 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3210	% On Time LSRC >= 10 Lines - DS0 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3211	% On Time LSRC >= 10 Lines - DS1 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3213	% On Time LSRC >= 10 Lines - DS3 (Fax)		NA		NA		NA		NA		NA	
OR-1-10-3214	% On Time LSRC >= 10 Lines - Non DS0,DS1, & DS3 (Fax)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-04-3214	% On Time LSR Reject < 10 Lines (Electronic - No Flow Through)		80		NA		NA		NA		NA	1

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2-06-3214	% On Time LSR Reject >= 10 Lines (Electronic - No Flow Through)		NA		100		94.44		100		100	5
OR-2-08-3214	% On Time LSR Reject < 10 Lines (Fax)		NA		NA		NA		NA		NA	
OR-2-10-3214	% On Time LSR Reject >=10 Lines (Fax)		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-3000	% Rejects		21.23		20.33		23.03		25.44		26.2	
OR-4 - Timeliness of Completion Notification												
OR-4-02-3000	Completion Notification - % On Time		100		100		100		100		99.72	
OR-5 - Percent Flow-Through												
OR-5-01-3000	% Flow Through - Total		64.73		58.28		61.22		62.29		63.07	
OR-5-02-3000	% Flow Through - Simple		64.73		58.48		62.18		63.22		65.04	
OR-6 - Order Accuracy												
OR-6-01-3000	% Accuracy - Orders		97.8		98		98.25		95.1		90.5	
OR-6-02-3000	% Accuracy - Opportunities		99.85		99.9		99.92		99.34		98.44	
OR-6-03-3000	% Accuracy – Local Service Request Confirmation		0.13		0		0		0.15		0	
UNE (Provisioning) - POTS/Special Services												
POTS - Provisioning												
PR-2 - Average Completed Interval												
PR-2-01-3111	Average Interval Completed – Total No Dispatch - Hot Cut Loop	1.02	5	1.05	6.45	1.13	5.24	1.21	5.1	1.2	5	
PR-2-01-3122	Average Interval Completed – Total No Dispatch - Other (Switch & INP)	1.44	NA	1.63	NA	1.77	NA	2.22	NA	1.66	NA	
PR-2-01-3140	Average Interval Completed – Total No Dispatch - Platform	1.44	1.59	1.63	1.5	1.77	1.46	2.22	1.35	1.66	0.91	
PR-2-03-3112	Average Interval Completed – Dispatch (1-5 Lines) - Loop	4.1	4.5	4.53	NA	4.64	3	4.29	3	3.94	4	1,3,4,5
PR-2-03-3140	Average Interval Completed – Dispatch (1-5 Lines) - Platform	4.1	NA	4.53	4.2	4.64	3	4.29	3	3.94	2	2,3,4,5

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-2-04-3112	Average Interval Completed - Dispatch (6-9 Lines) - Loop	8.38	NA	5.5	6	4.22	NA	8.67	6.33	5.42	NA	2,4
PR-2-04-3140	Average Interval Completed - Dispatch (6-9 Lines) - Platform	8.38	NA	5.5	NA	4.22	NA	8.67	3	5.42	NA	4
PR-2-05-3112	Average Interval Completed - Dispatch (>= 10 Lines) - Loop	4.5	NA	6.25	NA	6	NA	6.8	10	6.17	NA	4
PR-2-05-3140	Average Interval Completed - Dispatch (>= 10 Lines) - Platform	4.5	1	6.25	NA	6	NA	6.8	NA	6.17	NA	1
PR-4 - Missed Appointments												
PR-4-02-3100	Average Delay Days – Total	1.89	1.6	2.06	1.33	2.34	1.5	1.85	1.17	1.83	NA	1,2,3,4
PR-4-03-3100	% Missed Appointment – Customer		9.32		7.38		4.6		6.98		6.78	
PR-4-04-3113	% Missed Appointment – Verizon – Dispatch - Loop New	11.78	4.67	12.73	6.19	19	1.01	16.76	4.44	21.11	0	
PR-4-04-3140	% Missed Appointment – Verizon – Dispatch - Platform	11.78	0	12.73	0	19	0	16.76	0	21.11	0	1,3
PR-4-05-3123	% Missed Appointment – Verizon – No Dispatch - Other	0.05	0	0.05	0	0.08	0	0.03	0	0.12	0	
PR-4-05-3140	% Missed Appointment – Verizon – No Dispatch - Platform	0.05	0	0.05	0	0.08	0.22	0.03	0	0.12	0	
PR-4-07-3540	% On Time Performance - LNP		100		60		77.78		94.44		87.5	2,5
PR-6 - Installation Quality												
PR-6-01-3112	% Installation Troubles reported within 30 Days - Loop	1.78	5.2	2.04	5.88	1.95	4.55	1.95	NA	2.32	5.33	
PR-6-01-3140	% Installation Troubles reported within 30 Days - Platform	1.78	0.67	2.04	2.05	1.95	3.09	1.95	2.86	2.32	1.75	
PR-6-02-3112	% Installation Troubles reported within 7 Days - Loop	1.09	3.47	1.22	3.92	1.11	2.86	1.14	NA	1.39	2.56	
PR-6-02-3140	% Installation Troubles reported within 7 Days - Platform	1.09	0.33	1.22	1.23	1.11	1.49	1.14	1.25	1.39	0.44	
PR-6-03-3112	% Installation Troubles reported within 30 Days – FOK/TOK/CPE - Loop		1.73		3.57		2.47		NA		3.75	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-6-03-3140	% Installation Troubles reported within 30 Days – FOK/TOK/CPE - Platform		1.11		1.09		1.17		1.43			
PR-8 - Open Orders in a Hold Status												
PR-8-01-3100	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3100	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
PR-9 - Hot Cuts												
PR-9-01-3520	% On Time Performance - Hot Cuts - Loop		99.6		NA		97.72		98.18		97.35	
Complex Services - 2 Wire Digital												
PR-2 - Average Completed Interval												
PR-2-01-3341	Average Interval Completed – Total No Dispatch	6	NA	6	NA	NA	NA	NA	NA	NA	NA	
PR-2-02-3341	Average Interval Completed – Total Dispatch	6	6	5	5.67	6	5.6	5.75	5.33	5.9	6	1,2,3,4,5
PR-4 - Missed Appointments												
PR-4-02-3341	Average Delay Days – Total	2	NA	10.83	NA	4.42	9	2	1	4.88	NA	3,4
PR-4-03-3341	% MA – Customer		23.08		0		7.69		0		25	2,5
PR-4-04-3341	% MA – VZ – Dispatch	0	0	4.12	0	14.29	0	1.49	0	0	0	2,4,5
PR-4-05-3341	% MA – VZ – No Dispatch	0	NA	2.56	NA	0	0	0	0	0	NA	3,4
PR-6 - Installation Quality												
PR-6-01-3341	% Installation Troubles reported within 30 Days	0	0	0	0	1.22	0	2.47	0	4.35	50	2,5
PR-6-03-3341	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		25		0		0		0	2,5
PR-8 - Open Orders in a Hold Status												
PR-8-01-3341	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	2,5
PR-8-02-3341	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	2,5
Complex Services - 2 Wire xDSL Loops												
PR-2 - Average Completed Interval												
PR-2-01-3342	Average Interval Completed – Total No Dispatch		NA		NA		6		6		NA	3,4

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-2-02-3342	Average Interval Completed – Total Dispatch		5.25		5		5.63		6.24		5.75	1,2,3
PR-4 - Missed Appointments												
PR-4-02-3342	Average Delay Days – Total	NA	NA	NA	NA	NA	NA	NA	NA	4	NA	
PR-4-03-3342	% MA – Customer		0		6.67		15.38		2.7		13.64	
PR-4-04-3342	% MA – VZ – Dispatch		0		0		0		0		0	
PR-4-05-3342	% MA – VZ – No Dispatch	0	0	0.45	NA	0.16	0	0.63	0	0.89	NA	1,3,4
PR-4-14-3342	% Completed on Time		100		100		100		100		100	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3342	% Installation Troubles reported within 30 Days	1.78	0	2.04	0	1.95	0	1.96	0	2.34	0	1,2,3,5
PR-6-03-3342	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		0		16.67		0		14.29	1,2,3,5
PR-8 - Open Orders in a Hold Status												
PR-8-01-3342	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3342	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
Complex Services - 2 Wire xDSL Line Sharing												
PR-2 - Average Completed Interval												
PR-2-01-3343	Average Interval Completed – Total No Dispatch	2.14	NA	2.33	2.6	3.01	2.67	3	2.33	3.02	2.75	2,3,4,5
PR-2-02-3343	Average Interval Completed – Total Dispatch	2.3	NA	2.78	NA	3	NA	2.95	NA	3	NA	
PR-4 - Missed Appointments												
PR-4-02-3343	Average Delay Days – Total	1	NA	1	NA	1	NA	1	NA	1	NA	
PR-4-03-3343	% MA – Customer		0		0		0		0		0	1,2,4,5
PR-4-04-3343	% MA – VZ – Dispatch	0	NA	0	NA	0	NA	0	NA	0	NA	
PR-4-05-3343	% MA – VZ – No Dispatch	0	0	0.45	0	0.16	0	0.63	0	0.89	0	1,2,4,5
PR-6 - Installation Quality												
PR-6-01-3343	% Installation Troubles reported within 30 Days	0.22	0	0.59	0	0	0	0.2	0	0.85	0	1,2,4,5

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-6-03-3343	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE		0		0		0		0		25	1,2,4,5
PR-8 - Open Orders in a Hold Status												
PR-8-01-3343	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	1,2,4,5
PR-8-02-3343	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	1,2,4,5
POTS & Complex Aggregate												
PR-2 - Average Completed Interval												
PR-2-10-3133	Average Interval Completed – Disconnects – No Dispatch	3.5	3.36	3.7	3.35	3.79	2.83	4.04	1.05	4.3	1.09	
PR-2-11-3133	Average Interval Completed – Disconnects – Dispatch	3.78	NA	2.33	NA	4.97	NA	4.34	NA	3.59	NA	
Special Services - Provisioning												
PR-2 - Average Completed Interval												
PR-2-01-3200	Average Interval Completed – Total No Dispatch	5.75	NA	6.4	NA	7.5	6.29	5.6	NA	7.6	1.5	3,5
PR-2-02-3200	Average Interval Completed – Total Dispatch	6	18.25	8.91	13.25	7.45	12	5.63	NA	7.79	14	1,2,3,5
PR-2-06-3210	Average Interval Completed - DS0	5.29	NA	11	NA	7.67	NA	5.08	10	7.25	NA	4
PR-2-07-3211	Average Interval Completed – DS1	6.44	18.25	7.71	13.25	7.38	12	6.5	NA	7.87	24	1,2,3,5
PR-2-08-3213	Average Interval Completed – DS3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-2-09-3510	Average Interval Completed – Total - EEL		NA		NA		NA		NA		NA	
PR-2-10-3200	Average Interval Completed – Disconnects – No Dispatch	6.71	13	4.17	3	4.65	2.22	9.67	NA	5.29	1	1,2,5
PR-2-11-3200	Average Interval Completed – Disconnects – Dispatch	4.5	NA	4.6	NA	5.71	3	13.38	NA	3	NA	3
PR-4 - Missed Appointments												
PR-4-01-3200	% MA – Verizon – Total	0	0	1.14	0	0	1	0	NA	2.33	2.86	1
PR-4-01-3510	% Missed Appointment – Verizon – Total - EEL	0	NA	1.14	NA	0	0	0	NA	2.33	NA	3
PR-4-01-3530	% Missed Appointment – Verizon – Total - IOF	0	NA	1.14	NA	0	0	0	0	2.33	NA	3,4

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-02-3200	Average Delay Days – Total	NA	NA	1	NA	NA	3	NA	NA	4	2	3,5
PR-4-02-3510	Average Delay Days – Total - EEL	NA	NA	1	NA	NA	NA	NA	NA	4	NA	
PR-4-02-3530	Average Delay Days – Total - IOF	NA	NA	1	NA	NA	NA	NA	NA	4	NA	
PR-4-03-3200	% Missed Appointment – Customer		0		0		1.98		NA		0	1
PR-4-03-3510	% Missed Appointment – Customer - EEL		NA		NA		0		NA		NA	3
PR-4-08-3200	% MA – Customer – Due to Late Order Confirmation		0		NA		0		NA		0	1
PR-6 - Installation Quality												
PR-6-01-3200	% Installation Troubles reported within 30 Days	5.38	0	2.75	4.17	5.33	0.21	0	NA	2	0.81	1
PR-6-03-3200	% Installation Troubles reported within 30 Days – FOK/TOK/CPE		12.5		4.17		0		NA		0	1
PR-8 - Open Orders in a Hold Status												
PR-8-01-3200	% Open Orders in a Hold Status > 30 Days	0	12.5	0	0	0	0	0	NA	0	0	1
PR-8-02-3200	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	NA	0	0	1
UNE (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-2-02-3112	Network Trouble Report Rate – Loop	0.89	0.89	1.3	1.22	1.23	1.06	1.33	0.88	1.47	1.23	
MR-2-02-3140	Network Trouble Report Rate – Platform	0.89	0.27	1.3	0.88	1.23	0.95	1.33	0.62	1.47	0.49	
MR-2-03-3112	Network Trouble Report Rate – Central Office - Loop	0.09	0.07	0.09	0.06	0.07	0.06	0.06	0.05	0.14	0.04	
MR-2-03-3140	Network Trouble Report Rate – Central Office - Platform	0.09	0.33	0.09	0.25	0.07	0.39	0.06	0.17	0.14	0.06	
MR-2-04-3112	% Subsequent Reports - Loop		0		0		0		0		0	
MR-2-04-3140	% Subsequent Reports - Platform		0		0		3.33		2.38		9.38	
MR-2-05-3112	% CPE/TOK/FOK Trouble Report Rate - Loop	0.52	0.36	0.59	0.49	0.63	0.48	0.72	0.5	0.86	0.78	
MR-2-05-3140	% CPE/TOK/FOK Trouble Report Rate - Platform	0.52	0.66	0.59	0.6	0.63	0.53	0.72	0.56	0.86	0.66	
MR-3 - Missed Repair Appointments												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-01-3112	% Missed Repair Appointment - Loop - Loop	13.86	8.81	20.6	22.42	20.25	10.05	18.62	12.94	24.55	16.18	
MR-3-01-3140	% Missed Repair Appointment - Loop - Platform	13.86	40	20.6	20	20.25	26.83	18.62	25	24.55	30.77	1
MR-3-02-3112	% Missed Repair Appointment - Central Office - Loop	11.18	0	10.48	0	6.27	8.33	7.76	20	3.65	0	5
MR-3-02-3140	% Missed Repair Appointment - Central Office - Platform	11.18	16.67	10.48	0	6.27	5.88	7.76	11.11	3.65	0	1,2,5
MR-3-03-3112	% Missed Repair Appointment — CPE /TOK/FOK - Loop	8.13	6.15	8.79	4.49	11.87	8.79	9.33	6.25	12.6	9.15	
MR-3-03-3140	% Missed Repair Appointment — CPE /TOK/FOK - Platform	8.13	16.67	8.79	0	11.87	17.39	9.33	13.79	12.6	8.57	
MR-4 - Trouble Duration Intervals												
MR-4-01-3112	Mean Time To Repair – Total - Loop	17.85	17.71	19.1	20.43	19.8	19.2	19.94	19.03	21.93	21.43	
MR-4-01-3140	Mean Time To Repair – Total - Platform	17.85	13.11	19.1	15.13	19.8	15.3	19.94	11.63	21.93	12.05	
MR-4-02-3112	Mean Time to Repair - Loop Trouble - Loop	18.62	18.5	19.65	21.13	20.49	19	20.56	19.2	23.02	21.62	
MR-4-02-3140	Mean Time to Repair - Loop Trouble - Platform	18.62	20.3	19.65	17.68	20.49	17.52	20.56	12.02	23.02	13.1	1
MR-4-03-3112	Mean Time To Repair – Central Office Trouble - Loop	10.27	7.16	11.38	6.36	6.84	22.5	6.86	16.2	10.71	14.78	5
MR-4-03-3140	Mean Time To Repair – Central Office Trouble - Platform	10.27	7.11	11.38	6	6.84	9.94	6.86	10.25	10.71	2.95	1,2,5
MR-4-04-3112	% Cleared (all troubles) within 24 Hours - Loop	80.57	81.87	76.82	72.65	76.25	76.78	77.43	75	70.35	63.31	
MR-4-04-3140	% Cleared (all troubles) within 24 Hours - Platform	80.57	81.82	76.82	90.63	76.25	82.76	77.43	90.24	70.35	93.1	
MR-4-06-3140	% Out of Service > 4 hours - Platform	74.28	100	83.53	85.19	80.42	76.92	81.38	67.86	86.67	78.95	1
MR-4-07-3112	% Out of Service > 12 hours - Loop	54.8	62.16	64.92	77.59	59.1	68.35	59.02	69.75	66.7	73.41	
MR-4-07-3140	% Out of Service > 12 hours - Platform	54.8	66.67	64.92	59.26	59.1	58.97	59.02	39.29	66.7	52.63	1
MR-4-08-3112	% Out of Service > 24 Hours - Loop	11.53	14.41	17.75	29.31	15.63	23.02	14.06	21.85	23.28	34.1	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-08-3140	% Out of Service > 24 Hours - Platform	11.53	0	17.75	11.11	15.63	17.95	14.06	10.71	23.28	10.53	1
MR-5 - Repeat Trouble Reports												
MR-5-01-3112	% Repeat Reports within 30 Days - Loop	12.98	17.54	12.83	17.95	14.02	15.64	13.45	21.11	13.85	19.76	
MR-5-01-3140	% Repeat Reports within 30 Days - Platform	12.98	18.18	12.83	6.25	14.02	15.52	13.45	9.76	13.85	10.34	
Complex Services - 2 Wire Digital												
MR-2 - Trouble Report Rate												
MR-2-02-3341	Network Trouble Report Rate – Loop	0.45	0.4	0.38	0.41	0.66	0.2	0.36	0.41	0.45	0.84	
MR-2-03-3341	Network Trouble Report Rate – Central Office	0.05	0	0.1	0	0	0	0.23	0	0.1	0	
MR-2-04-3341	% Subsequent Reports		0		0		0		0		0	1,2,3,4,5
MR-3 - Missed Repair Appointments												
MR-3-01-3341	% Missed Repair Appointment – Loop	50	0	53.33	0	53.85	0	42.86	0	61.11	25	1,2,3,4,5
MR-3-02-3341	% Missed Repair Appointment – Central Office	0	NA	0	NA	NA	NA	22.22	NA	25	NA	
MR-4 - Trouble Duration Intervals												
MR-4-01-3341	Mean Time To Repair – Total	19.34	56.69	20.46	3.02	52.63	2.22	25.02	13.09	33.76	13.94	1,2,3,4,5
MR-4-02-3341	Mean Time to Repair - Loop Trouble	20.36	56.69	20.63	3.02	52.63	2.22	33.01	13.09	38.7	13.94	1,2,3,4,5
MR-4-03-3341	Mean Time To Repair – Central Office Trouble	10.14	NA	19.82	NA	NA	NA	12.59	NA	11.53	NA	
MR-4-07-3341	% Out of Service > 12 hours	55.56	100	80	0	66.67	0	61.54	50	71.43	33.33	1,2,3,4,5
MR-4-08-3341	% Out of Service > 24 Hours	33.33	50	60	0	41.67	0	30.77	0	57.14	0	1,2,3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-3341	% Repeat Reports within 30 Days	35	0	21.05	0	15.38	0	21.74	50	27.27	0	1,2,3,4,5
Complex Services - 2 Wire xDSL Loops												
MR-2 - Trouble Report Rate												
MR-2-02-3342	Network Trouble Report Rate – Loop	0.06	0.38	0.09	0.63	0	0.88	0	0	0.13	0.74	
MR-2-03-3342	Network Trouble Report Rate – Central Office	0.02	0	0.02	0.13	0	0	0	0	0.06	0.12	
MR-3 - Missed Repair Appointments												
MR-3-01-3342	% Missed Repair Appointment – Loop	0	0	16.67	20	NA	0	NA	NA	22.22	16.67	1,2,3,5

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-02-3342	% Missed Repair Appointment – Central Office	0	NA	0	0	NA	NA	NA	NA	14.29	0	2,5
MR-4 - Trouble Duration Intervals												
MR-4-02-3342	Mean Time to Repair - Loop Trouble	49.91	19.18	22.97	25.97	NA	16.44	NA	NA	24.91	26.19	1,2,3,5
MR-4-03-3342	Mean Time To Repair – Central Office Trouble	9.03	NA	13.96	24.87	NA	NA	NA	NA	23.3	2	2,5
MR-4-07-3342	% Out of Service > 12 hours	75	75	77.78	75	NA	66.67	NA	NA	81.25	50	1,2,3,5
MR-4-08-3342	% Out of Service > 24 Hours	25	25	33.33	50	NA	50	NA	NA	37.5	50	1,2,3,5
MR-5 - Repeat Trouble Reports												
MR-5-01-3342	% Repeat Reports within 30 Days	80	0	22.22	0	NA	42.86	NA	NA	31.25	14.29	1,2,3,5
Complex Services - 2 Wire xDSL Line Sharing												
MR-2 - Trouble Report Rate												
MR-2-02-3343	Network Trouble Report Rate – Loop	0.06	0	0.09	0	0	0	0	0	0.13	0	
MR-2-03-3343	Network Trouble Report Rate – Central Office	0.02	0	0.02	0	0	0	0	0	0.06	0	
MR-3 - Missed Repair Appointments												
MR-3-01-3343	% Missed Repair Appointment – Loop	0	NA	16.67	NA	NA	NA	NA	NA	22.22	NA	
MR-3-02-3343	% Missed Repair Appointment – Central Office	0	NA	0	NA	NA	NA	NA	NA	14.29	NA	
MR-4 - Trouble Duration Intervals												
MR-4-02-3343	Mean Time to Repair - Loop Trouble	49.91	NA	22.97	NA	NA	NA	NA	NA	24.91	NA	
MR-4-03-3343	Mean Time To Repair – Central Office Trouble	9.03	NA	13.96	NA	NA	NA	NA	NA	23.3	NA	
MR-4-04-3343	% Cleared (all troubles) within 24 Hours	60	NA	66.67	NA	NA	NA	NA	NA	62.5	NA	
MR-4-07-3343	% Out of Service > 12 hours	75	NA	77.78	NA	NA	NA	NA	NA	81.25	NA	
MR-4-08-3343	% Out of Service > 24 Hours	25	NA	33.33	NA	NA	NA	NA	NA	37.5	NA	
MR-5 - Repeat Trouble Reports												
MR-5-01-3343	% Repeat Reports within 30 Days	80	NA	22.22	NA	NA	NA	NA	NA	31.25	NA	
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-01-3200	Network Trouble Report Rate	0.1	1.28	0.16	1.65	0.18	1.76	0.13	3.16	0.15	4.04	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-2-05-3200	% CPE/TOK/FOK Trouble Report Rate	0.21	1.99	0.2	0.83	0.28	1.35	0.26	2.95	0.25	3.19	
MR-4 - Trouble Duration Intervals												
MR-4-01-3200	Mean Time To Repair – Total	3.49	6.95	6.69	6.94	4.76	5.87	5.11	5.03	5	5.98	
MR-4-02-3200	Mean Time to Repair - Loop Trouble	4.08	8.1	8.91	6.94	5.29	6.04	4.93	5.03	6.79	5.36	1
MR-4-04-3200	% Cleared (all troubles) within 24 Hours	100	100	97.56	100	100	100	100	100	100	94.74	
MR-4-06-3200	% Out of Service > 4 hours	28	75	48.78	91.67	36.17	63.64	54.29	66.67	56.41	62.5	1
MR-4-07-3200	% Out of Service > 12 hours	0	12.5	4.88	8.33	4.26	9.09	2.86	0	7.69	6.25	1
MR-4-08-3200	% Out of Service > 24 Hours	0	0	2.44	0	0	0	0	0	0	6.25	1
MR-5 - Repeat Trouble Reports												
MR-5-01-3200	% Repeat Reports within 30 Days	12	22.22	9.76	16.67	21.28	15.38	8.57	6.67	15.38	21.05	
Trunks (Aggregate) - POTS/Special Services												
ORDERING												
OR 1 - Order Confirmation Timeliness												
OR-1-11-5020	Average Firm Order Confirmation (FOC) Time <=192 Forecasted Trunks		NA		NA		NA		NA		0	
OR-1-12-5020	% On Time FOC <= 192 Forecasted Trunks		NA		NA		NA		NA		100	5
OR-1-13-5000	% On Time Design Layout Record (DLR)		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-11-5020	Average Trunk ASR Reject Time <= 192 Forecasted Trunks		NA		NA		NA		NA		NA	
OR-2-12-5020	% On Time Trunk ASR Reject <= 192 Forecasted Trunks		NA		NA		NA		NA		NA	
PROVISIONING												
PR-2 - Average Interval Completed												
PR-2-09-5020	Average Interval Completed – Total <= 192 Forecasted Trunks	8	NA	NA	NA	8	NA	NA	NA	15	NA	
PR-2-09-5030	Average Interval Completed – Total > 192 Forecasted & Unforecasted	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-4 - Missed Appointment												

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-01-5000	% Missed Appointment – Verizon – Total	0	0	0	0	0	NA	NA	NA	0	NA	
PR-4-02-5000	Average Delay Days – Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-4-03-5000	% Missed Appointment – Customer		0		90.91		NA		NA		NA	
PR-5 - Facility Missed Orders												
PR-5-01-5000	% Missed Appointment – Verizon – Facilities	0	0	0	0	0	NA	NA	NA	0	NA	
PR-5-02-5000	% Orders Held for Facilities > 15 Days	0	0	0	0	0	NA	NA	NA	0	NA	
PR-5-03-5000	% Orders Held for Facilities > 60 Days	0	0	0	0	0	NA	NA	NA	0	NA	
PR-6 - Installation Quality												
PR-6-01-5000	% Installation Troubles reported within 30 Days	0	0	0	0	0	NA	NA	NA	0	NA	
PR-6-03-5000	% Inst. Troubles reported within 30 Days - FOK/TOK/CPE		0		0		NA		NA		NA	
MAINTENANCE												
MR-2 - Trouble Report Rate												
MR-2-01-5000	Network Trouble Report Rate – Total	0	0	0	0	0	0	0.02	0	0.01	0	
MR-4 - Trouble Duration Intervals												
MR-4-01-5000	Mean Time To Repair – Total	NA	NA	NA	NA	NA	NA	60.21	NA	0.48	NA	
MR-4-04-5000	% Cleared (all troubles) within 24 Hours	NA	NA	NA	NA	NA	NA	66.67	NA	100	NA	
MR-4-05-5000	% Out of Service > 2 Hours	NA	NA	NA	NA	NA	NA	33.33	NA	0	NA	
MR-4-06-5000	% Out of Service > 4 hours	NA	NA	NA	NA	NA	NA	33.33	NA	0	NA	
MR-4-07-5000	% Out of Service > 12 hours	NA	NA	NA	NA	NA	NA	33.33	NA	0	NA	
MR-4-08-5000	% Out of Service > 24 Hours	NA	NA	NA	NA	NA	NA	33.33	NA	0	NA	
MR-5 - Repeat Trouble Report Rates												
MR-5-01-5000	% Repeat Reports within 30 Days	NA	NA	NA	NA	NA	NA	0	NA	0	NA	

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NETWORK PERFORMANCE												
NP-1 - Percent Final Trunk Group Blockage												
NP-1-01-5400	% FTG Exceeding Blocking Standard - Dedicated Final Trunks											
NP-1-02-5400	% FTG Exceeding Blocking Standard (No Exceptions) - Dedicated Final Trunks											
NP-1-03-5400	Number Dedicated FTG Exceeding Blocking Standard – 2 Months											
NP-1-04-5400	Number Dedicated FTG Exceeding Blocking Standard – 3 Months											
NP-2 - Collocation Performance - New												
NP-2-01-6701	% On Time Response to Request for Physical Collocation		NA		NA		NA		NA		NA	
NP-2-02-6701	% On Time Response to Request for Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-03-6701	Average Interval – Physical Collocation		70		NA		66		NA		NA	
NP-2-04-6701	Average Interval – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-05-6701	% On Time – Physical Collocation		100		NA		100		NA		NA	1,3
NP-2-06-6701	% On Time – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2-07-6701	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6701	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	
NP-2 - Collocation Performance - Augment												
NP-2-01-6702	% On Time Response to Request for Physical Collocation		NA		100		100		100		NA	2,3,4
NP-2-02-6702	% On Time Response to Request for Virtual Collocation		NA		100		NA		NA		NA	2

DELAWARE PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NP-2-03-6702	Average Interval – Physical Collocation		22		NA		14		36		NA	
NP-2-04-6702	Average Interval – Virtual Collocation		NA		NA		6		NA		NA	
NP-2-05-6702	% On Time – Physical Collocation		100		NA		100		100		NA	1,3,4
NP-2-06-6702	% On Time – Virtual Collocation		NA		NA		100		NA		NA	3
NP-2-07-6702	Average Delay Days – Physical Collocation		NA		NA		NA		NA		NA	
NP-2-08-6702	Average Delay Days – Virtual Collocation		NA		NA		NA		NA		NA	

Abbreviations: NA = No Activity.
UD = Under Development.
NEF = No Existing Functionality
blank cell = No data provided.
VZ = Verizon retail analog. If no data was provided, the metric may have a benchmark.

Notes: 1 = Sample Size under 10 for February.
2 = Sample Size under 10 for March.
3 = Sample Size under 10 for April.
4 = Sample Size under 10 for May.
5 = Sample Size under 10 for June.

Appendix E

Pennsylvania Performance Metrics

All data included here are taken from the Pennsylvania Carrier-to-Carrier Reports. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics nor that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development). Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided, there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare the data over time.

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
Preorder and OSS Availability:	
OR-1-02	% On Time LSRC - Flow Through
OR-1-04	% On Time LSRC (Electronic - No Flow Through)
OR-1-06	% On Time LSRC (Electronic - No Flow Through)
OR-1-08	% On Time LSRC (Fax)
OR-1-10	% On Time LSRC Lines (Fax)
OR-1-11	Average Firm Order Confirmation (FOC) Time <=192 Forecasted Trunks
OR-1-12	% On Time FOC <= 192 Forecasted Trunks
OR-1-13	% On Time Design Layout Record (DLR)
PO-1-01	Average Response Time – Customer Service Record
PO-1-02	Average Response Time - Due Date Availability
PO-1-03	Average Response Time - Address Validation
PO-1-04	Average Response Time - Product and Service Availability
PO-1-05	Average Response Time - Telephone Number Availability and Reservation
PO-1-06	Average Response Time - Facility Availability - (ADSL Loop Qualification)
PO-1-07	Average Response Time - Rejected Query
PO-2-01	OSS Interface Availability – Total - Electronic Bonding - Maintenance
PO-2-02	OSS Interface Availability – Prime Time - EDI - Pre-Ordering
PO-2-03	OSS Interface Availability – Non-Prime Time - Electronic Bonding - Maintenance
PO-3-02	% Answered within 20 Seconds – Ordering
PO-3-04	% Answered within 20 Seconds – Repair
PO-5-01	Average Notice of Interface Outage
PO-8-01	% On Time - Manual Loop Qualification
PO-8-02	% On Time - Engineering Record Request
MR-1-01	Average Response Time - Create Trouble - Electronic Bonding

Metric Number	Metric Name
Provisioning:	
PR-2-01	Average Interval Completed – Total No Dispatch
PR-2-02	Average Interval Completed – Total Dispatch
PR-2-03	Average Interval Completed - Dispatch (1-5 Lines)
PR-2-04	Average Interval Completed - Dispatch (6-9 Lines)
PR-2-05	Average Interval Completed -'Dispatch (>= 10 Lines)
PR-2-06	Average Interval Completed - DS0
PR-2-07	Average Interval Completed – DS1
PR-2-08	Average Interval Completed – DS3
PR-2-09	Average Interval Completed – Total
PR-4-01	% Missed Appt. – VZ – Total
PR-4-02	Average Delay Days – Total
PR-4-03	% Missed Appt. – Customer
PR-4-04	% Missed Appt. – VZ – Dispatch
PR-4-05	% Missed Appt. – VZ – No Dispatch
PR-4-07	% On Time Performance - LNP
PR-4-08	% Missed Appt. – Customer – Due to Late Order Confirmation
PR-4-14	% Completed on Time
PR-5-01	% Missed Appointment – Verizon – Facilities
PR-5-02	% Orders Held for Facilities > 15 Days
PR-5-03	% Orders Held for Facilities > 60 Days
PR-6-01	% Installation Troubles reported within 30 Days
PR-6-02	% Installation Troubles reported within 7 Days
PR-6-03	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE
PR-8-01	% Open Orders in a Hold Status > 30 Days

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
MR-1-02	Average Response Time - Status Trouble - Electronic Bonding
MR-1-03	Average Response Time - Modify Trouble - Electronic Bonding
MR-1-04	Average Response Time - Request Cancellation of Trouble - Electronic Bonding
MR-1-05	Average Response Time - Trouble Report History (by TN/Circuit) - Electronic Bonding
MR-1-06	Average Response Time - Test Trouble (POTS Only) - Electronic Bonding
Change Management, Billing, OS/DA, Interconnection and Collocation:	
BI-1-02	% DUF in 4 Business Days
BI-2-01	Timeliness of Carrier Bill - Paper Bills
BI-2-02	Timeliness of Carrier Bill - Electronic Bills - BOS BDT format
BI-3-01	% Billing Adjustments - Paper Bills (CRIS & CABS combined)
BI-3-03	% Billing Adjustments - Electronic Bills - BOS BDT format
NP-1-01	% FTG Exceeding Blocking Standard - Final Trunks
NP-1-02	% FTG Exceeding Blocking Standard (No Exceptions) - Final Trunks
NP-1-03	Number Dedicated FTG Exceeding Blocking Standard – 2 Months
NP-1-04	Number Dedicated FTG Exceeding Blocking Standard – 3 Months
Ordering:	
OR-2-02	% On Time LSR Reject - Flow Through
OR-2-04	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-06	% On Time LSR Reject (Electronic - No Flow Through)
OR-2-08	% On Time LSR Reject (Fax)
OR-2-10	% On Time LSR Reject (Fax)

Metric Number	Metric Name
PR-8-02	% Open Orders in a Hold Status > 90 Days
PR-9-01	% On Time Performance - Hot Cuts - Loop
PR-2-10	Average Interval Completed – Disconnects – No Dispatch
PR-2-11	Average Interval Completed – Disconnects – Dispatch
Maintenance and Repair:	
MR-2-01	Network Trouble Report Rate
MR-2-02	Network Trouble Report Rate – Loop
MR-2-03	Network Trouble Report Rate – Central Office
MR-2-04	% Subsequent Reports
MR-2-05	% CPE/TOK/FOK Trouble Report Rate
MR-3-01	% Missed Repair Appointment – Loop
MR-3-02	% Missed Repair Appointment – Central Office
MR-3-03	% Missed Repair Appointment — CPE /TOK/FOK
MR-4-01	Mean Time To Repair – Total
MR-4-02	Mean Time to Repair - Loop Trouble
MR-4-03	Mean Time To Repair – Central Office Trouble
MR-4-04	% Cleared (all troubles) within 24 Hours
MR-4-05	% Out of Service > 2 Hours
MR-4-06	% Out of Service > 4 hours
MR-4-07	% Out of Service > 12 hours

PERFORMANCE METRICS CATAGORIES

Metric Number	Metric Name
OR-2-11	Average Trunk ASR Reject Time <= 192 Forecasted Trunks
OR-2-12	% On Time Trunk ASR Reject <= 192 Forecasted Trunks
OR-3-01	% Rejects
OR-4-02	Completion Notice – % On Time
OR-5-01	% Flow Through - Total
OR-5-02	% Flow Through - Simple
OR-6-01	% Accuracy - Orders
OR-6-02	% Accuracy – Opportunities
OR-6-03	% Accuracy – Local Service Confirmation
OR-7-01	% Order Confirmations/Rejects Sent Within 3 Business Days

Metric Number	Metric Name
MR-4-08	% Out of Service > 24 Hours
MR-5-01	% Repeat Reports within 30 Days

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OSS & BILLING (Pre-Ordering) - POTS/Special Services												
PRE-ORDERING												
PO-1 - Response Time OSS Pre-Ordering Interface												
PO-1-01-6022	Average Response Time – Customer Service Record – EDI – PA/DE	0.34	3.08	0.38	3.41	0.33	3.67	0.33	3.45	0.35	2.97	
PO-1-01-6052	Average Response Time – Customer Service Record – Web GUI – PA/DE	0.34	2.44	0.38	2.61	0.33	2.36	0.33	4.03	0.35	2.4	
PO-1-02-6022	Average Response Time – Due Date Availability – EDI – PA/DE	0.89	3.45	0.93	5.3	0.84	3.88	1.01	3.89	0.99	4.12	
PO-1-02-6052	Average Response Time – Due Date Availability – Web GUI – PA/DE	0.89	3.27	0.93	3.39	0.84	3.1	1.01	5.12	0.99	3.51	
PO-1-03-6022	Average Response Time – Address Validation – EDI – PA/DE	9.18	5.02	8.8	4.99	8.76	5.44	9.02	5.49	8.17	5.27	
PO-1-03-6052	Average Response Time – Address Validation – Web GUI – PA/DE	9.18	5.66	8.8	5.98	8.76	5.63	9.02	7.64	8.17	6.36	
PO-1-04-6022	Average Response Time – Product and Service Availability – EDI – PA/DE	13.91	NA	13.49	NA	13.65	14.28	14.09	13.19	13.22	13.28	
PO-1-04-6052	Average Response Time – Product and Service Availability – Web GUI – PA/DE	13.91	13.28	13.49	14.34	13.65	13.55	14.09	16.32	13.22	18.51	
PO-1-05-6022	Average Response Time – Telephone Number Availability and Reservation – EDI – PA/DE	0.82	10.61	0.75	8.17	0.76	6.78	0.82	6.73	0.8	5.38	
PO-1-05-6052	Average Response Time – Telephone Number Availability and Reservation – Web GUI – PA/DE	0.82	6.75	0.75	6.82	0.76	6.73	0.82	8.6	0.8	7.32	
PO-1-06-6022	Average Response Time – Facility Availability – (ADSL Loop Qualification) – EDI – PA/DE	15.19	4.62	15.4	4.2	15.51	5.43	16.63	6.03	15.59	5.31	
PO-1-06-6052	Average Response Time – Facility Availability – (ADSL Loop Qualification) – Web GUI – PA/DE	15.19	4.46	15.4	4.69	15.51	4.41	16.63	7.01	15.59	5.04	
PO-1-07-6022	Average Response Time – Rejected Query – EDI – PA/DE	0.1	2.85	0.11	3.07	0.09	3.31	0.1	3.26	0.11	3.38	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-1-07-6052	Average Response Time – Rejected Query – Web GUI – PA/DE	0.1	3.67	0.11	4.08	0.09	3.63	0.1	5.33	0.11	3.82	
PO-2 - OSS Interface Availability												
PO-2-01-6060	OSS Interface Availability – Total – Electronic Bonding – Maintenance – PA		100		100		100		100		100	
PO-2-01-6040	OSS Interface Availability – Total – Web – GUI Maintenance – PA		99.75		99.72		99.28		99.98		99.75	1,3,5
PO-2-02-6020	OSS Interface Availability – Prime Time – EDI – Pre-Ordering – PA		99.72		100		100		100		99.79	1,5
PO-2-02-6060	OSS Interface Availability – Prime Time – Electronic Bonding – Maintenance – PA		100		100		100		100		100	
PO-2-02-6040	OSS Interface Availability – Prime Time – Web GUI – Maintenance – PA		99.61		99.55		99.93		100		99.64	1,5
PO-2-02-6050	OSS Interface Availability – Prime Time – Web GUI – Pre-Ordering – PA		99.56		99.65		99.92		100		99.6	1,5
PO-2-03-6060	OSS Interface Availability – Non-Prime Time – Electronic Bonding – Maintenance – PA		100		100		100		100		100	
PO-2-03-6040	OSS Interface Availability – Non-Prime Time – Web GUI – Maintenance – PA		100		100		98.08		99.94		99.94	3
PO-3 - Contact Center Availability												
PO-3-02-2004	% Answered within 20 Seconds – Ordering – Pittsburgh		92.87		92.37		91.48		89.45			
PO-3-04-2002	% Answered within 20 Seconds – Repair – Richmond		87.2		86.71		85.6		86.4		86.2	
PO-5 - Average Notification of Interface Outage												
PO-5-01-2030	Average Notice of Interface Outage		15		15		NA		NA		20	1,5
PO-8 - Manual Loop Qualification												
PO-8-01-3300	% On Time – Manual Loop Qualification		80		0		100		100		NA	1,3,4
PO-8-02-3300	% On Time – Engineering Record Request		NA		NA		NA		NA		NA	
TROUBLE REPORTING (OSS)												
MR-1 - Response Time OSS Maintenance Interface												
MR-1-01-6060	Average Response Time – Create Trouble – Electronic Bonding	8.37	12.67	8.5	13.79	8.45	14.85	8.82	16.7	8.65	15.65	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-1-01-6040	Average Response Time – Create Trouble – Web GUI	8.37	3.61	8.5	3.59	8.45	3.63	8.82	3.69	8.65	3.67	
MR-1-02-6060	Average Response Time – Status Trouble – Electronic Bonding	4.14	0.22	4.31	0.19	4.44	0.2	4.42	0.21	4.06	0.32	
MR-1-02-6040	Average Response Time – Status Trouble – Web GUI	4.14	2.8	4.31	2.28	4.44	2.28	4.42	3.49	4.06	2.57	
MR-1-03-6060	Average Response Time – Modify Trouble – Electronic Bonding	8.09	7.83	8.25	8.51	8.17	7.88	8.53	12.58	8.42	6.63	
MR-1-03-6040	Average Response Time – Modify Trouble – Web GUI	8.09	8.1	8.25	7.96	8.17	5.47	8.53	4.34	8.42	5.99	1,3,4,5
MR-1-04-6060	Average Response Time – Request Cancellation of Trouble – Electronic Bonding	9.45	9.94	9.63	14.77	9.56	na	NA	0	9.82	3.88	1,5
MR-1-04-6040	Average Response Time – Request Cancellation of Trouble – Web GUI	9.45	4.49	9.63	2.08	9.56	5.47	9.89	5.13	9.82	4.21	
MR-1-05-6060	Average Response Time – Trouble Report History (by TN/Circuit) – Electronic Bonding	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	NEF	
MR-1-05-6040	Average Response Time – Trouble Report History (by TN/Circuit) – Web GUI	0.49	1.07	0.5	0.93	0.5	0.91	0.5	0.96	0.55	1.1	
MR-1-06-6060	Average Response Time – Test Trouble (POTS Only) – Electronic Bonding	51.12	55.3	52.39	65.95	52.19	58.99	51.1	55.9	52.24	60.11	
MR-1-06-6040	Average Response Time – Test Trouble (POTS Only) – Web Gui	51.12	41.81	52.39	42.78	52.19	44.06	51.1	41.67	52.24	47.59	
BILLING												
BI-1 - Timeliness of Daily Usage Feed												
BI-1-02-2030	% DUF in 4 Business Days		99.22		99.29		99.43		99.43		99.39	
BI-2-01-2030	Timeliness of Carrier Bill - Paper Bills		100		100		100		100		100	
BI-2 - Timeliness of Carrier Bill												
BI-2-02-2030	Timeliness of Carrier Bill - Electronic Bills - BOS format		100		100		100		100		100	
BI-3 - Billing Accuracy												
BI-3-01-2030	% Billing Adjustments	0.99	1.13	1.54	0.45	11.68	0.34	1.86	3.08	2.15	1.04	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
BI-3-03-2030	% Billing Adjustments - Electronic Bills - BOS format	0.99	0.52	1.54	0.27	11.68	0.03	1.86	0.09	2.15	0.15	
Resale (Ordering) - POTS/Special Services												
POTS/ Pre-Qualified Complex (combined data)												
OR-1 - Order Confirmation Timeliness												
OR-1-02-2320	% On Time LSRC – Flow–Through		99.92		99.92		100		99.84		99.18	
OR-1-04-2320	% On Time LSRC < 10 Lines – Electronic (No Flow–Through)		99.81		99.93		99.89		99.94		99.39	
OR-1-06-2320	% On Time LSRC >=10 Lines – Electronic		100		100		100		100		100	
OR-1-08-2320	% On Time LSRC < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-2320	% On Time LSRC >= 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-2320	% On Time LSR Reject – Flow–Through		100		99.9		100		100		100	
OR-2-04-2320	% On Time LSR Reject < 10 Lines – Electronic (No Flow–Through)		99.9		100		100		99.81		100	
OR-2-06-2320	% On Time LSR Reject >= 10 Lines – Electronic		100		100		100		100		100	
OR-2-08-2320	% On Time LSR Reject < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-2320	% On Time LSR Reject >=10 Lines – Fax		NA		NA		NA		NA		NA	
OR-7 - Confirmations/Rejects Sent within 3 Business Days												
Complex Services - 2 Wire Digital												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2341	% On Time LSRC < 6 Lines – Electronic		100		100		100		100		100	
OR-1-06-2341	% On Time LSRC >= 6 Lines – Electronic		NA		100		NA		100		NA	2,4
OR-1-08-2341	% On Time LSRC < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-2341	% On Time LSRC >= 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2341	% On Time LSR Reject < 6 Lines – Electronic		100		100		100		100		100	1,5
OR-2-06-2341	% On Time LSR Reject >= 6 Lines – Electronic		NA		100		100		NA		NA	2,3
OR-2-08-2341	% On Time LSR Reject < 6 Lines – Fax		NA		NA		NA		NA		NA	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2-10-2341	% On Time LSR Reject >= 6 Lines – Fax		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2342	% On Time LSRC < 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-1-06-2342	% On Time LSRC >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-1-08-2342	% On Time LSRC < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-2342	% On Time LSRC >= 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness - Requiring Loop Qualification												
OR-2-04-2342	% On Time LSR Reject < 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-2-06-2342	% On Time LSR Reject >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-2-08-2342	% On Time LSR Reject < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-2342	% On Time LSR Reject >= 6 Lines – Fax		NA		NA		NA		NA		NA	
Special Services												
OR-1 - Order Confirmation Timeliness												
OR-1-04-2214	% On Time LSRC < 10 Lines – Non-DS0, DS1, & DS3 – Electronic		100		100		100		100		100	5
OR-1-06-2210	% On Time LSRC >=10 Lines – DS0 – Electronic		NA		NA		NA		NA		NA	
OR-1-06-2211	% On Time LSRC >=10 Lines – DS1 – Electronic		NA		NA		NA		NA		NA	
OR-1-06-2213	% On Time LSRC >=10 Lines – DS3 – Electronic		NA		NA		NA		NA		NA	
OR-1-06-2214	% On Time LSRC >=10 Lines – Non-DS0, DS1, & DS3 – Electronic		100		100		100		100		100	1,2,3,4,5
OR-1-08-2214	% On Time LSRC < 10 Lines – Non DS0,DS1, & DS3 – Fax		NA		NA		NA		NA		NA	
OR-1-10-2210	% On Time LSRC >= 10 Lines – DS0 – Fax		NA		NA		NA		NA		NA	
OR-1-10-2211	% On Time LSRC >= 10 Lines – DS1 – Fax		NA		NA		NA		NA		NA	
OR-1-10-2213	% On Time LSRC >= 10 Lines – DS3 – Fax		NA		NA		NA		NA		NA	
OR-1-10-2214	% On Time LSRC >= 10 Lines – Non DS0,DS1, & DS3 – Fax		NA		NA		NA		NA		NA	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2 - Reject Timeliness												
OR-2-04-2200	% On Time LSR Reject < 10 Lines – Electronic (No Flow–Through)		100		100		95.24		100		100	
OR-2-06-2200	% On Time LSR Reject >= 10 Lines – Electronic		100		100		NA		100		100	1,2,4,5
OR-2-08-2200	% On Time LSR Reject < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-2200	% On Time LSR Reject >=10 Lines – Fax		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-2000	% Rejects		33.56		31.53		34.71		35.38		36.37	
OR-4 - Timeliness of Completion Notification												
OR-4-02-2000	Completion Notice – % On Time		100		100		100		100		97.71	
POTS / Special Services - Aggregate												
OR-5 - Percent Flow-Through												
OR-5-01-2000	% Flow Through – Total		64.88		65.56		64.36		67.61		68.62	
OR-6 - Order Accuracy												
OR-6-01-2000	% Accuracy – Orders		99.73		100		99.75		97.76		98.28	
POTS / Special Services - Aggregate												
OR-6-02-2000	% Accuracy – Opportunities		99.95		100		99.98		99.68		99.8	
OR-6-03-2000	% Accuracy – LSRC		0		0.09		0		0.1		0	
Resale (Provisioning) - POTS/Special Services												
POTS - Provisioning - Total												
PR-2 - Average Completed Interval												
PR-2-04-2100	Average Interval Completed – Dispatch (6–9 Lines)	5.33	3.5	5.65	3	5.01	3	5.64	3.75	6	5	1,2,3,4,5
PR-2-05-2100	Average Interval Completed – Dispatch (>= 10 Lines)	5.83	NA	7.03	3.8	5.11	1	5.73	5	6.12	NA	2,3,4
PR-4 - Missed Appointments												
PR-4-02-2100	Average Delay Days – Total	3.94	1.65	2.92	1.35	2.74	2.19	2.83	1.55	2.65	3	
PR-4-03-2100	% Missed Appt. – Customer	2.31	2.51	2.27	2.21	2.13	1.93	2.25	1.87	2.25	2	
PR-4-04-2100	% Missed Appt. – VZ – Dispatch	5.46	5.25	7.27	3.81	8.68	4.25	8.42	3.28	9.93	1.94	
PR-4-05-2100	% Missed Appt. – VZ – No Dispatch	0.12	0	0.16	0.03	0.16	0.12	0.43	0.04	0.24	0.06	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-08-2100	% Missed Appt. – Customer – Due to Late Order Confirmation		0.03		0		0		0		0	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-2100	% Installation Troubles reported within 30 Days	1.54	1.42	1.66	1.31	1.63	1.53	1.66	1.48	1.91	1.75	
PR-6-02-2100	% Installation Troubles reported within 7 Days	1.02	0.95	1.08	0.79	1.06	0.9	1.05	0.89	1.21	1.27	
PR-6-03-2100	% Installation Troubles reported within 30 Days – FOK/TOK/CPE	1.06	1.52	1.13	0.89	1.08	1.44	1.04	1.43	1.32	2.66	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2100	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-2100	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
POTS - Business												
PR-2 - Average Completed Interval												
PR-2-01-2110	Average Interval Completed – Total No Dispatch	1.5	1.34	1.71	1.04	2.28	1.26	2.83	1.31	1.57	1.23	
PR-2-03-2110	Average Interval Completed – Dispatch (1–5 Lines)	3.64	3.23	3.83	3.77	4.04	3.95	4	3.47	3.9	3.67	
POTS - Residence												
PR-2 - Average Completed Interval												
PR-2-01-2120	Average Interval Completed – Total No Dispatch	0.88	0.92	0.94	0.97	1.15	0.98	0.94	1.1	1.05	1.19	
POTS - Residence												
PR-2-03-2120	Average Interval Completed – Dispatch (1–5 Lines)	4.12	3.07	4.21	2.67	4.15	2.4	4.12	2.55	4.2	2.41	
Complex Services - 2 Wire Digital												
PR-2 - Average Completed Interval												
PR-2-01-2341	Average Interval Completed – Total No Dispatch	6	NA	6	7	6	NA	6	6	6	NA	2,4
PR-2-02-2341	Average Interval Completed – Total Dispatch	5.66	NA	5.86	NA	5.44	4.33	5.8	NA	5.72	NA	3
PR-4 - Missed Appointment												
PR-4-02-2341	Average Delay Days – Total	4.44	NA	4.82	NA	7.47	NA	2.42	1	4.85	NA	4

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-03-2341	% Missed Appt. – Customer	12.65	12.5	8.14	8.33	10.25	17.86	8.49	0	12.48	0	4,5
PR-4-04-2341	% Missed Appt. – VZ – Dispatch	0.77	0	1.6	0	0.68	0	1.15	100	2.22	0	1,2,4,5
PR-4-05-2341	% Missed Appt. – VZ – No Dispatch	0.76	0	0.18	0	0.73	0	0	0	0.18	0	4,5
PR-4-08-2341	% Missed Appt. – Customer – Due to Late Order Confirmation		0		0		0		0		0	4,5
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-2341	% Installation Troubles reported within 30 Days	3.15	0	4.79	20	3.33	5.56	2.96	0	2.98	0	1,2,4,5
PR-6-03-2341	% Inst. Troubles reported w/ in 30 Days – FOK/TOK/CPE	5.38	42.86	4.97	0	6.22	22.22	4.76	0	2.83	0	1,2,4,5
PR-8 - Open Orders in a Hold Status												
PR-8-01-2341	% Open Orders in a Hold Status > 30 Days	0.11	0	0	0	0.12	0	0.08	0	0.08	0	4,5
PR-8-02-2341	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	4,5
Complex Services - 2 Wire xDSL												
PR-2 - Average Completed Interval												
PR-2-01-2342	Average Interval Completed – Total No Dispatch	1.21	NA	2.48	NA	3.05	NA	3.04	NA	3.03	NA	
PR-2-02-2342	Average Interval Completed – Total Dispatch	NA	NA	2.9	NA	2.98	NA	3	NA	3.02	NA	
PR-4 - Missed Appointment												
PR-4-02-2342	Average Delay Days – Total	NA	NA	1.05	NA	1.1	NA	1.1	NA	1.16	NA	
PR-4-03-2342	% Missed Appt. – Customer	0	0	0.67	0	0.47	NA	0.35	0	0.38	NA	1,2,4
PR-4-04-2342	% Missed Appt. – VZ – Dispatch	NA	NA	9.33	NA	0.49	NA	0.29	NA	1.16	NA	
PR-4-05-2342	% Missed Appt. – VZ – No Dispatch	0	0	4.5	0	5.66	NA	4.55	0	3.91	NA	1,2,4
PR-4-08-2342	% Missed Appt. – Customer – Due to Late Order Confirmation		0		0		NA		0		NA	1,2,4
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-2342	% Installation Troubles reported within 30 Days	113.64	0	0.63	0	0.57	NA	0.75	0	0.92	NA	1,2
PR-6-03-2342	% Inst. Troubles reported w/ in 30 Days – FOK/TOK/CPE	738.64	0	3.74	0	3.39	NA	3.96	0	3.66	NA	1,2
PR-8 - Open Orders in a Hold Status												

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-8-01-2342	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	NA	0	0	0	NA	1,2,4
PR-8-02-2342	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	NA	0	0	0	NA	1,2,4
POTS & Complex Aggregate												
PR-2 - Average Completed Interval												
PR-2-10-2103	Average Interval Completed – Disconnects – No Dispatch	3.65	6.36	3.81	6.44	3.73	0.89	3.91	0.82	4.21	0.84	
PR-2-11-2103	Average Interval Completed – Disconnects – Dispatch	3.58	NA	4.18	NA	4.12	NA	5.74	NA	4.74	NA	
Special Services - Provisioning												
PR-2 - Average Completed Interval												
PR-2-01-2200	Average Interval Completed – Total No Dispatch	7.32	NA	9	4	9.6	NA	5.82	5	7.29	NA	2,4
PR-2-02-2200	Average Interval Completed – Total Dispatch	7.23	8.86	8.55	5	6.63	6.5	6.78	6.17	7.37	5.2	1,2,4,5
PR-2-06-2210	Average Interval Completed – DS0	6.05	8.5	7.12	5	5.45	3.67	5.81	5.88	7.49	5.5	1,2,3,4,5
PR-2-07-2211	Average Interval Completed – DS1	7.94	9	9.18	4	8.03	7.71	6.66	NA	7.33	4	1,2,3,5
PR-2-08-2213	Average Interval Completed – DS3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-2-10-2200	Average Interval Completed – Disconnects – No Dispatch	5.89	4.25	5.89	4.3	7.08	NA	5.73	2	6.32	NA	1,4
PR-2-11-2200	Average Interval Completed – Disconnects – Dispatch	4.85	5	5.08	3.71	6.3	NA	5.67	NA	5.26	NA	1
PR-4 - Missed Appointments												
PR-4-01-2200	% Missed Appt. – VZ – Total	1.15	3.85	1.94	0	3.38	0	1.27	0	3.64	0	
PR-4-02-2200	Average Delay Days – Total	1.83	9	19.36	NA	13.94	NA	1.43	NA	10.44	NA	1
PR-4-03-2200	% Missed Appt. – Customer	33.33	23.08	24.3	5.56	25.89	13.64	24.32	18.18	25.28	18.18	
PR-4-08-2200	% Missed Appt. – Customer – Due to Late Order Confirmation		0		0		0		0		0	
PR-6- Installation Quality												
PR-6-01-2200	% Installation Troubles reported within 30 Days	3.46	2.56	2.88	7.14	2.79	13.64	3.97	1.47	3.7	0	
PR-6-03-2200	% Installation Troubles reported within 30 Days – FOK/TOK/CPE	1.94	2.56	1.38	0	1.23	0	2.27	0	2.78	3.23	
PR-8 - Open Orders in a Hold Status												
PR-8-01-2200	% Open Orders in a Hold Status > 30 Days	1.34	0	0	0	0	0	0	0	0	0	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-8-02-2200	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
Resale (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-2100	Network Trouble Report Rate – Loop	0.63	0.32	0.78	0.36	0.8	0.37	0.96	0.41	1.07	0.44	
MR-2-03-2100	Network Trouble Report Rate – Central Office	0.09	0.05	0.09	0.05	0.09	0.05	0.09	0.04	0.08	0.03	
MR-2-04-2100	% Subsequent Reports	18.74	13	19.36	9.52	18.32	12.29	18.9	14.55	20.83	10.94	
MR-2-05-2100	% CPE/TOK/FOK Trouble Report Rate	0.46	0.3	0.53	0.29	0.56	0.36	0.61	0.37	0.72	0.4	
MR-3 - Missed Repair Appointments												
MR-3-01-2100	% Missed Repair Appointment – Loop	15.36	15.29	18.14	18.87	18.68	19.87	19.09	19.8	24.7	24.4	
MR-3-02-2100	% Missed Repair Appointment – Central Office	4.75	1.59	4.96	9.68	5.77	6.67	4.82	8.33	8.1	9.76	
MR-3-03-2100	% Missed Repair Appointment — CPE /TOK/FOK	5.9	2.84	7.22	5.93	7.15	8.28	7.68	7.02	10.62	12.22	
MR-4 - Trouble Duration Intervals												
MR-4-01-2100	Mean Time To Repair – Total	18.87	16.52	18.07	15.2	17.81	13.36	18.8	15.6	21.73	17.6	
MR-4-02-2100	Mean Time to Repair – Loop Trouble	20.37	17.35	19.23	15.93	18.94	14.15	19.82	16.29	22.68	18.31	
MR-4-03-2100	Mean Time To Repair – Central Office Trouble	8.4	11.11	7.63	9.76	8.11	7.14	7.43	8.31	9.48	8.15	
MR-4-04-2100	% Cleared (all troubles) within 24 Hours	76.69	82.32	78.2	85.47	79.74	86.17	77.43	81.72	69.55	75.09	
MR-4-06-2100	% Out of Service > 4 hours	76.15	73.94	77.94	67.7	77.37	65.43	79.12	69.65	83.31	77.7	
MR-4-07-2100	% Out of Service > 12 hours	61.03	58.31	61.85	51.12	59.72	50	62.08	53.39	65.4	60.46	
MR-4-08-2100	% Out of Service > 24 Hours	22.66	16.94	19.48	10.39	17.2	12	19.09	15.72	27.08	22.07	
MR-5 - Repeat Trouble Reports												
MR-5-01-2100	% Repeat Reports within 30 Days	13.62	13.47	13.44	13.19	13.6	17.99	14.19	14.52	14.92	13.48	
Complex Services - 2 Wire Digital												
MR-2 - Trouble Report Rate												
MR-2-02-2341	Network Trouble Report Rate – Loop	0.28	0.2	0.29	0.89	0.32	0.28	0.34	0.47	0.32	0.09	
MR-2-03-2341	Network Trouble Report Rate – Central Office	0.11	0.2	0.12	0.2	0.11	0.09	0.12	0.09	0.08	0.28	
MR-2-04-2341	% Subsequent Reports	13.09	0	8.02	8.33	11.94	0	5.91	33.33	8.89	0	1,3,5
MR-2-05-2341	% CPE/TOK/FOK Trouble Report Rate	0.88	2.49	0.86	1.69	0.87	1.32	0.8	0.94	0.81	1.22	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3 - Missed Repair Appointments												
MR-3-01-2341	% Missed Repair Appointment – Loop	32.77	100	37.19	11.11	35.11	33.33	30.99	60	38.93	100	1,3,4,5
MR-3-02-2341	% Missed Repair Appointment – Central Office	19.15	0	13.73	0	8.7	0	10.2	0	21.21	100	1,2,3,4,5
MR-3-03-2341	% Missed Repair Appointment — CPE /TOK/FOK	11.65	8	11.73	0	13.61	28.57	12.39	10	16.37	7.69	
MR-4 - Trouble Duration Intervals												
MR-4-01-2341	Mean Time To Repair – Total	21.21	12.56	19.59	20.8	21.1	44.18	14.8	26.37	22.64	24.04	1,3,4,5
MR-4-02-2341	Mean Time to Repair – Loop Trouble	24.63	24.62	24.57	14.63	24.62	58.11	16.78	27.34	25.02	27.9	1,3,4,5
MR-4-03-2341	Mean Time To Repair – Central Office Trouble	12.53	0.5	7.77	48.58	11.09	2.4	9.08	21.53	13.17	22.76	1,2,3,4,5
MR-4-04-2341	% Cleared (all troubles) within 24 Hours	69.28	50	70.93	72.73	74.58	25	83.77	83.33	71.95	75	1,3,4,5
MR-4-07-2341	% Out of Service > 12 hours	57.45	66.67	54.22	44.44	50.98	100	50.67	80	55.06	100	1,3,4,5
MR-4-08-2341	% Out of Service > 24 Hours	28.72	66.67	30.12	11.11	31.37	100	18.67	0	24.72	25	1,3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-2341	% Repeat Reports within 30 Days	13.25	25	29.65	36.36	21.47	50	17.8	16.67	21.95	25	1,3,4,5
Complex Services - 2 Wire xDSL												
MR-2 - Trouble Report Rate												
MR-2-02-2342	Network Trouble Report Rate – Loop	0.07	0	0.09	0	0.09	0	0.14	0	0.18	0	
MR-2-03-2342	Network Trouble Report Rate – Central Office	0.03	0	0.04	0	0.03	0	0.05	0	0.05	0	
MR-2-04-2342	% Subsequent Reports	0	NA	0	NA	0	NA	0	NA	0	NA	
MR-2-05-2342	% CPE/TOK/FOK Trouble Report Rate	0.81	0	0.99	0	1.26	0	1.44	0	1.52	0	
MR-3 - Missed Repair Appointments												
MR-3-01-2342	% Missed Repair Appointment – Loop	12.94	NA	20	NA	26.26	NA	15.69	NA	25.45	NA	
MR-3-02-2342	% Missed Repair Appointment – Central Office	14.29	NA	5.62	NA	22.83	NA	14.68	NA	15.93	NA	
MR-3-03-2342	% Missed Repair Appointment — CPE /TOK/FOK	9.31	NA	11.17	NA	13.39	NA	10.47	NA	14.08	NA	
MR-4 - Trouble Duration Intervals												
MR-4-01-2342	Mean Time To Repair – Total	28.71	NA	20.93	NA	27.8	NA	31.47	NA	21.73	NA	
MR-4-02-2342	Mean Time to Repair – Loop Trouble	37.37	NA	29.04	NA	32.87	NA	38.38	NA	38.03	NA	
MR-4-03-2342	Mean Time To Repair – Central Office Trouble	19.16	NA	10.46	NA	22.35	NA	21.77	NA	23.15	NA	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-07-2342	% Out of Service > 12 hours	71.61	NA	66.67	NA	72.41	NA	77.82	NA	81.15	NA	
MR-4-08-2342	% Out of Service > 24 Hours	27.1	NA	21.35	NA	37.36	NA	37.1	NA	40.26	NA	
MR-5 - Repeat Trouble Reports												
MR-5-01-2342	% Repeat Reports within 30 Days	47.53	NA	46.08	NA	44.5	NA	44.27	NA	36.94	NA	
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-4 - Trouble Duration Intervals												
MR-4-01-2200	Mean Time To Repair – Total	4.4	7.15	4.63	4.43	5.19	8.19	4.74	11.51	4.76	6.14	1,2,3,4,5
MR-4-02-2200	Mean Time to Repair – Loop Trouble – Specials	4.94	7.15	5.32	10.44	5.66	NA	5.21	NA	5.6	6.59	1,2,5
MR-4-04-2200	% Cleared (all troubles) within 24 Hours	99.76	100	98.29	100	98.59	100	98.51	66.67	98.4	100	1,2,3,4,5
MR-4-06-2200	% Out of Service > 4 hours – Specials	40.66	100	38.86	20	47.7	80	42.13	33.33	42.27	50	1,2,3,4,5
MR-4-07-2200	% Out of Service > 12 hours – Specials	4.73	16.67	5.14	0	6.89	40	6.17	33.33	5.68	16.67	1,2,3,4,5
MR-4-08-2200	% Out of Service > 24 Hours – Specials	0.24	0	1.71	0	1.41	0	1.49	33.33	1.6	0	1,2,3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-2200	% Repeat Reports within 30 Days	14.15	0	15.62	0	17.64	0	17.62	0	17.2	33.33	1,2,3,4,5
UNE (Ordering) - POTS/Special Services												
POTS Loop/Pre-Qualified Complex/LNP (combined data)												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3331	% On Time LSRC – Flow-Through		99.98		99.94		99.96		99.95		99.92	
OR-1-04-3331	% On Time LSRC < 10 Lines – Electronic (No Flow-Through)		99.68		99.65		99.56		99.52		98.82	
OR-1-06-3331	% On Time LSRC >=10 Lines – Electronix		100		100		99.8		99.5		99.52	
OR-1-08-3331	% On Time LSRC < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-3331	% On Time LSRC >= 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-3331	% On Time LSR Reject – Flow-Through		99.9		99.91		100		99.68		99.97	
OR-2-04-3331	% On Time LSR Reject < 10 Lines – Electronic (No Flow-Through)		99.54		99.65		.99.27		99.28		99.03	
OR-2-06-3331	% On Time LSR Reject >= 10 Lines – Electonic		100		100		100		100		100	
OR-2-08-3331	% On Time LSR Reject < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-3331	% On Time LSR Reject >=10 Lines – Fax		NA		NA		NA		NA		NA	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-7 - Confirmations/Rejects Sent within 3 Business Days												
OR-7-01-3331	% Order Confirmations/Rejects Sent Within 3 Business Days		99.3		98.89		99.61		99.86		98.4	
POTS Platform												
OR-1 - Order Confirmation Timeliness												
OR-1-02-3140	% On Time LSRC – Flow–Through		99.88		99.79		99.88		99.19		96.33	
OR-1-04-3140	% On Time LSRC < 10 Lines – Electronic (No Flow–Through)		99.76		99.63		99.42		99.27		98.94	
OR-1-06-3140	% On Time LSRC >=10 Lines – Electronix		100		98.48		100		100		100	
OR-1-08-3140	% On Time LSRC < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-3140	% On Time LSRC >= 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-02-3140	% On Time LSR Reject – Flow–Through		99.93		99.93		99.9		99.04		96.7	
OR-2-04-3140	% On Time LSR Reject < 10 Lines – Electronic (No Flow–Through)		99.95		99.97		99.71		99.66		99.49	
OR-2-06-3140	% On Time LSR Reject >= 10 Lines – Electonic		100		100		100		100		100	
OR-2-08-3140	% On Time LSR Reject < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-3140	% On Time LSR Reject >=10 Lines – Fax		NA		NA		NA		NA		NA	
OR-7 - Confirmations/Rejects Sent within 3 Business Days												
OR-7-01-3140	% Order Confirmations/Rejects Sent Within 3 Business Days		99.94		99.57		99.92		99.87		99.82	
Complex Services - 2 Wire Digital												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3341	% On Time LSRC < 6 Lines – Electronic (No Flow –Through)		100		99.07		98.88		98.91		100	
OR-1-06-3341	% On Time LSRC >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-1-08-3341	% On Time LSRC < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-3341	% On Time LSRC >= 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3341	% On Time LSR Reject < 6 Lines – Electroning (No Flow–Through)		100		100		100		100		100	
OR-2-06-3341	% On Time LSR Reject >= 6 Lines – Electronic		NA		NA		NA		NA		NA	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-2-08-3341	% On Time LSR Reject < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-3341	% On Time LSR Reject >= 6 Lines – Fax		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-08-3342	% On Time LSRC < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-1-10-3342	% On Time LSRC >= 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-08-3342	% On Time LSR Reject < 6 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-3342	% On Time LSR Reject >= 6 Lines – Fax		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL Loops												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3342	% On Time LSRC < 6 Lines – Electronic (No Flow –Through)		99.25		98.53		100		100		98.97	
OR-1-06-3342	% On Time LSRC >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3342	% On Time LSR Reject < 6 Lines – Electroning (No Flow–Through)		100		100		96.97		100		100	
OR-2-06-3342	% On Time LSR Reject >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
Complex Services - 2 Wire xDSL Line Sharing												
OR-1 - Order Confirmation Timeliness (requiring Loop Qualification)												
OR-1-04-3343	% On Time LSRC < 6 Lines – Electronic (No Flow –Through)		100		100		100		100		100	
OR-1-06-3343	% On Time LSRC >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness (requiring Loop Qualification)												
OR-2-04-3343	% On Time LSR Reject < 6 Lines – Electroning (No Flow–Through)		100		100		100		100		100	1,2,3,4,5
OR-2-06-3343	% On Time LSR Reject >= 6 Lines – Electronic		NA		NA		NA		NA		NA	
Special Services												
OR-1 - Order Confirmation Timeliness												
OR-1-04-3214	% On Time LSRC < 10 Lines – Non DS0, DS1, DS3 – Electronic (No Flow–Through)		100		100		90		100		100	1,2,4,5

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-3214	% On Time LSRC >=10 Lines – Non DS0, DS1, DS3 – Electronic		100		100		NA		100		100	1,2,4,5
OR-1-06-3210	% On Time LSRC >=10 Lines (DS0) – Electronic		NA		NA		NA		NA		NA	
OR-1-06-3211	% On Time LSRC >=10 Lines (DS1) – Electronic		100		90.55		92.94		94.7		89.95	1
OR-1-06-3213	% On Time LSRC >=10 Lines (DS3) – Electronic		NA		85.86		98.67		100		100	
OR-1-08-3214	% On Time LSRC < 10 Lines – Non DS0, DS1, DS3 – Fax		NA		NA		NA		NA		NA	
OR-1-10-3214	% On Time LSRC >= 10 Lines – Non DS0, DS1, DS3 – Fax		NA		NA		NA		NA		NA	
OR-1-10-3210	% On Time LSRC >= 10 Lines (DS0) – Fax		NA		NA		NA		NA		NA	
OR-1-10-3211	% On Time LSRC >= 10 Lines (DS1) – Fax		NA		NA		NA		100		0	4,5
OR-1-10-3213	% On Time LSRC >= 10 Lines (DS3) – Fax		NA		NA		NA		NA		NA	
OR-2 - Reject Timeliness												
OR-2-04-3214	% On Time LSR Reject < 10 Lines – Electronic (No Flow Through)		86.05		100		100		100		100	4,5
OR-2-06-3214	% On Time LSR Reject >= 10 Lines – Electronic		NA		92.64		95.34		92.64		97.95	
OR-2-08-3214	% On Time LSR Reject < 10 Lines – Fax		NA		NA		NA		NA		NA	
OR-2-10-3214	% On Time LSR Reject >=10 Lines – Fax		NA		NA		NA		NA		NA	
POTS / Special Services - Aggregate												
OR-3 - Percent Rejects												
OR-3-01-3000	% Rejects		23.44		23.12		21.93		19.63		19.6	
OR-4 - Timeliness of Completion Notification												
OR-4-02-3000	Completion Notification – % On Time		100		100		99.86		100		99.41	
OR-5 - Percent Flow-Through												
OR-5-01-3000	% Flow Through – Total		76.21		80.58		80.11		80.96		83.32	
OR-5-02-3000	% Flow Through – Simple		77.08		81.6		81.04		81.91		84.44	
OR-6 - Order Accuracy												
OR-6-01-3000	% Accuracy – Orders		98.11		97.61		98.25		95.23		89.91	
OR-6-02-3000	% Accuracy – Opportunities		99.87		99.9		99.94		99.42		98.49	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-6-03-3000	% Accuracy – Local Service Request Confirmation		0.06		0.07		0.05		0.1		0.06	
UNE (Provisioning) - POTS/Special Services												
POTS - Provisioning												
PR-2 - Average Completed Interval												
PR-2-01-3111	Average Interval Completed – Total No Dispatch – Hot Cut Loop	0.92	5.15	0.99	5.06	1.24	5.07	1.09	5.1			
PR-2-01-3122	Average Interval Completed – Total No Dispatch – Other (Switch & INP)	1.5	1.71	1.71	2.21	2.28	1.6	2.83	1	1.57	NA	4
PR-2-01-3140	Average Interval Completed – Total No Dispatch – Platform	1.5	1.04	1.71	0.99	2.28	0.88	2.83	0.84	1.57	0.87	
PR-2-03-3112	Average Interval Completed – Dispatch (1–5 Lines) – Loop	3.64	3.13	3.83	3.16	4.04	3.14	4	3.2	3.9	3.62	
PR-2-03-3140	Average Interval Completed – Dispatch (1–5 Lines) – Platform	3.64	3.63	3.83	3.52	4.04	2.86	4	2.99	3.9	2.81	
PR-2-04-3112	Average Interval Completed – Dispatch (6–9 Lines) – Loop	5.33	5.76	5.65	6	5.01	6.07	5.64	6	6	5.88	2
PR-2-04-3140	Average Interval Completed – Dispatch (6–9 Lines) – Platform	5.33	NA	5.65	4	5.01	3	5.64	3	6	3.5	2,3,4,5
PR-2-05-3112	Average Interval Completed – Dispatch (>= 10 Lines) – Loop	5.83	10	7.03	9.29	5.11	8.14	5.73	10.29	6.12	9.56	1,2,3,4
PR-2-05-3140	Average Interval Completed – Dispatch (>= 10 Lines) – Platform	5.83	NA	7.03	NA	5.11	2	5.73	5	6.12	NA	3,4
PR-4 - Missed Appointments												
PR-4-02-3100	Average Delay Days – Total	3.94	1.16	2.92	1.92	2.74	1.81	2.83	2.67	2.65	2.31	
PR-4-03-3100	% Missed Appointment – Customer	2.31	0.88	2.27	0.87	2.13	1.06	2.25	0.67	2.25	0.56	
PR-4-04-3113	% Missed Appointment – Verizon – Dispatch – Loop New	5.46	2.21	7.27	2.14	8.68	1.61	8.42	2.59	9.93	2.9	
PR-4-04-3140	% Missed Appointment – Verizon – Dispatch – Platform	5.46	1.73	7.27	2.48	8.68	2.7	8.42	3.54	9.93	4.66	
PR-4-05-3123	% Missed Appointment – Verizon – No Dispatch – Other	0.12	0	0.16	0.26	0.16	0	0.43	0	0.24	0	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4-05-3140	% Missed Appointment – Verizon – No Dispatch – Platform	0.12	0.01	0.16	0.01	0.16	0.02	0.43	0.01	0.24	0.03	
PR-4-07-3540	% On Time Performance – LNP		99.75		99.51		99.66		99.69		99.54	
PR-6 - Installation Quality												
PR-6-01-3112	% Installation Troubles reported within 30 Days – Loop	1.54	1.87	1.66	2.35	1.63	1.77	1.66	2.42	1.91	2.03	
PR-6-01-3140	% Installation Troubles reported within 30 Days – Platform	1.54	1.35	1.66	1.43	1.63	1.54	1.66	1.6	1.91	1.89	
PR-6-02-3112	% Installation Troubles reported within 7 Days – Loop	1.02	1.07	1.08	1.25	1.06	1.03	1.05	1.19	1.21	0.99	
PR-6-02-3140	% Installation Troubles reported within 7 Days – Platform	1.02	0.72	1.08	0.65	1.06	0.71	1.05	0.8	1.21	0.8	
PR-6-03-3112	% Installation Troubles reported within 30 Days – FOK/TOK/CPE – Loop	1.06	1.83	1.13	2.14	1.08	2.17	1.04	2.79	1.32	2.53	
PR-6-03-3140	% Installation Troubles reported within 30 Days – FOK/TOK/CPE – Platform	1.06	1.33	1.13	1.51	1.08	1.61					
PR-8 - Open Orders in a Hold Status												
PR-8-01-3100	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3100	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
PR-9 - Hot Cuts												
PR-9-01-3520	% On Time Performance – Hot Cuts		99.22		98.82		98.47		98.82		98.81	
Complex Services - 2 Wire Digital												
PR-2 - Average Completed Interval												
PR-2-01-3341	Average Interval Completed – Total No Dispatch	6	NA	6	NA	6	NA	6	NA	6	NA	
PR-2-02-3341	Average Interval Completed – Total Dispatch	5.66	5	5.86	4.33	5.44	6	5.8	5.63	5.72	6	1,2,3,4,5
PR-4 - Missed Appointments												
PR-4-02-3341	Average Delay Days – Total	4.44	NA	4.82	1.67	7.47	3	2.42	1.5	4.85	NA	2,3,4
PR-4-03-3341	% MA – Customer	12.65	8.86	8.14	7.35	10.25	16.67	8.49	4.76	12.48	7.84	
PR-4-04-3341	% MA – VZ – Dispatch	0.77	0	1.6	0	0.68	0	1.15	0	2.22	0	
PR-4-05-3341	% MA – VZ – No Dispatch	0.76	NA	0.18	NA	0.73	0	0	0	0.18	0	3,4,5
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-6-01-3341	% Installation Troubles reported within 30 Days	3.15	5.06	4.79	5.88	3.33	6.06	2.96	4.76	2.98	11.76	
PR-6-03-3341	% Inst. Troubles reported w/ in 30 Days – FOK/TOK/CPE	5.38	8.86	4.97	4.41	6.22	6.06	4.76	4.76	2.83	5.88	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3341	% Open Orders in a Hold Status > 30 Days	0.11	0	0	0	0.12	0	0.08	0	0.08	0	
PR-8-02-3341	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
Complex Services - 2 Wire xDSL												
PR-4 - Missed Appointments												
Complex Services - 2 Wire xDSL Loops												
PR-2 - Average Completed Interval												
PR-2-01-3342	Average Interval Completed – Total No Dispatch	2.29	5.8	2.48	6	3.05	5.88	3.04	5.75	3.03	6	3,4,5
PR-2-02-3342	Average Interval Completed – Total Dispatch	2.49	5.85	2.9	5.51	2.98	5.73	3	5.55	3.02	5.71	
PR-4 - Missed Appointments												
PR-4-02-3342	Average Delay Days – Total	2.5	1.86	18.67	1.5	1.33	1.14	1	7.38	12.33	3.33	1,2,4,5
PR-4-03-3342	% MA – Customer	1.42	8.25	0.67	6.63	0.47	6.85	0.35	7.7	0.38	8.61	
PR-4-04-3342	% MA – VZ – Dispatch		0.19		0.35		1.22		0.84		0.9	
PR-4-05-3342	% MA – VZ – No Dispatch	0.26	2.5	4.5	0	5.66	0	4.55	0	3.91	0	5
PR-4-14-3342	% Completed on Time		99.8		99.45		99.23		98.68		98.09	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3342	% Installation Troubles reported within 30 Days	1.54	1.2	1.66	2.61	1.63	3.29	1.66	6	1.91	3.13	
PR-6-03-3342	% Inst. Troubles reported w/ in 30 Days – FOK/TOK/CPE	1.06	29.34	1.13	14.93	1.08	18.78	1.04	15.5	1.32	21.09	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3342	% Open Orders in a Hold Status > 30 Days	4.93	0	0	0	0	0	0	0	0	0	
PR-8-02-3342	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
Complex Services - 2 Wire xDSL Line Sharing												
PR-2 - Average Completed Interval												
PR-2-01-3343	Average Interval Completed – Total No Dispatch	2.29	2.94	2.48	2.73	3.05	2.49	3.04	2.86	3.03	2.72	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-2-02-3343	Average Interval Completed – Total Dispatch	2.49	2.91	2.9	2.65	2.98	2.82	3	2.93	3.02	2.78	
PR-4 - Missed Appointments												
PR-4-02-3343	Average Delay Days – Total	1.13	5	1.05	1	1.1	6	1.1	16	1.16	3	1,2,3,4,5
PR-4-03-3343	% MA – Customer	1.42	4.86	0.67	0.63	0.47	2.16	0.35	5.42	0.38	1.6	
PR-4-04-3343	% MA – VZ – Dispatch	2.44	0	9.33	0	0.49	0	0.29	0	1.16	0	
PR-4-05-3343	% MA – VZ – No Dispatch	0.26	0.76	4.5	0.75	5.66	0.6	4.55	0.69	3.91	1.16	
PR-5 - Facility Missed Orders												
PR-6 - Installation Quality												
PR-6-01-3343	% Installation Troubles reported within 30 Days	0.53	2.78	0.63	2.52	0.57	1.08	0.75	1.81	0.92	0.53	
PR-6-03-3343	% Inst. Troubles reported w/ in 30 Days – FOK/TOK/CPE	3.43	9.72	3.74	4.4	3.39	3.78	3.96	7.83	3.66	8.51	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3343	% Open Orders in a Hold Status > 30 Days	0	0	0	0	0	0	0	0	0	0	
PR-8-02-3343	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
POTS & Complex Aggregate												
PR-2 - Average Completed Interval												
PR-2-10-3133	Average Interval Completed – Disconnects – No Dispatch	3.65	2.59	3.81	2.88	3.73	1.14	3.91	1.02	4.21	1.06	
PR-2-11-3133	Average Interval Completed – Disconnects – Dispatch	3.58	5	4.18	3	4.12	1.17	5.74	1.43	4.74	1	1,2,3,4
Special Services - Provisioning												
PR-2 - Average Completed Interval												
PR-2-01-3200	Average Interval Completed – Total No Dispatch	7.32	NA	9	NA	9.6	3.87	5.82	1.65	7.29	2.34	
PR-2-02-3200	Average Interval Completed – Total Dispatch	7.23	14.25	8.55	15.15	6.63	13.74	6.78	11.75	7.37	13.27	
PR-2-06-3210	Average Interval Completed – DS0	6.05	NA	7.12	7	5.45	10	5.81	2	7.49	8	2,3,4,5
PR-2-07-3211	Average Interval Completed – DS1	7.94	11.52	9.18	10.77	8.03	12.9	6.66	11.13	7.33	12.64	
PR-2-08-3213	Average Interval Completed – DS3	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
PR-2-09-3510	Average Interval Completed – Total EEL	7.94	17.44		15.61		16.24		11.94		14.2	
PR-2-10-3200	Average Interval Completed – Disconnects – No Dispatch	5.89	3.58	5.89	6.74	7.08	5.01	5.73	3.48	6.32	2.29	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-2-11-3200	Average Interval Completed – Disconnects – Dispatch	4.85	5	5.08	7.29	6.3	4.1	5.67	5.56	5.26	4	5
PR-4 - Missed Appointments												
PR-4-01-3200	% MA – Verizon – Total	1.15	7.14	1.94	3.5	3.38	1.7	1.27	1.53	3.64	2.64	
PR-4-01-3510	% Missed Appointment – Verizon – Total – EEL	1.15	2.63	1.94	1.85	3.38	4.15	1.27	2.23	3.64	2.87	
PR-4-01-3530	% Missed Appointment – Verizon – Total – IOF	1.15	0	1.94	4.17	3.38	2.53	1.27	1.79	3.64	0	
PR-4-02-3200	Average Delay Days – Total	1.83	1.75	19.36	1.4	13.94	2.2	1.43	2.6	10.44	2	1,2,3,4,5
PR-4-02-3510	Average Delay Days – Total – EEL	1.83	4.83	19.36	2.6	13.94	9.13	1.43	4.2	10.44	2.6	1,2,3,4,5
PR-4-02-3530	Average Delay Days – Total – IOF	1.83	NA	19.36	2	13.94	3.5	1.43	1	10.44	NA	2,3,4
PR-4-03-3200	% Missed Appointment – Customer	33.33	4.76	24.3	2.62	25.89	2.41	24.32	3.39	25.28	2.48	
PR-4-03-3510	% Missed Appointment – Customer – EEL	33.33	3.07	24.3	4.06	25.89	2.07	24.32	4.02	25.28	2.87	
PR-4-08-3200	% MA – Customer – Due to Late Order Confirmation		2.44		1.54		1.1		0		0.5	
PR-6 - Installation Quality												
PR-6-01-3200	% Installation Troubles reported within 30 Days	3.46	1.53	2.88	2.74	2.79	1.1	3.97	1.92	3.7	1.75	
PR-6-03-3200	% Installation Troubles reported within 30 Days – FOK/TOK/CPE	1.94	0.61	1.38	0.23	1.23	0.12	2.27	0.11	2.78	0	
PR-8 - Open Orders in a Hold Status												
PR-8-01-3200	% Open Orders in a Hold Status > 30 Days	1.34	0	0	0	0	0	0	0	0	0	
PR-8-02-3200	% Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	0	0	
UNE (Maintenance) - POTS/Special Services												
POTS - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-02-3112	Network Trouble Report Rate – Loop	0.63	0.42	0.78	0.48	0.8	0.46	0.96	0.47	1.07	0.47	
MR-2-02-3140	Network Trouble Report Rate – Platform	0.63	0.63	0.78	0.75	0.8	0.75	0.96	0.87	1.07	0.94	
MR-2-03-3112	Network Trouble Report Rate – Central Office – Loop	0.09	0.05	0.09	0.05	0.09	0.05	0.09	0.04	0.08	0.05	
MR-2-03-3140	Network Trouble Report Rate – Central Office – Platform	0.09	0.1	0.09	0.08	0.09	0.08	0.09	0.08	0.08	0.07	
MR-2-04-3112	% Subsequent Reports – Loop	18.74	0	19.36	0	18.32	0	18.9	0	20.83	0	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-2-04-3140	% Subsequent Reports – Platform	18.74	7.95	19.36	8.38	18.32	8.09	18.9	8.7	20.83	7.83	
MR-2-05-3112	% CPE/TOK/FOK Trouble Report Rate – Loop	0.46	0.44	0.53	0.46	0.56	0.54	0.61	0.54	0.72	0.58	
MR-2-05-3140	% CPE/TOK/FOK Trouble Report Rate – Platform	0.46	0.63	0.53	0.73	0.56	0.74	0.61	0.75	0.72	0.89	
MR-3 - Missed Repair Appointments												
MR-3-01-3112	% Missed Repair Appointment – Loop – Loop	15.36	7.97	18.14	6.93	18.68	5.98	19.09	8	24.7	9.71	
MR-3-01-3140	% Missed Repair Appointment – Loop – Platform	15.36	11.76	18.14	12.83	18.68	13.96	19.09	14.73	24.7	18.83	
MR-3-02-3112	% Missed Repair Appointment – Central Office – Loop	4.75	2.04	4.96	3.49	5.77	4.55	4.82	12.05	8.1	5.49	
MR-3-02-3140	% Missed Repair Appointment – Central Office – Platform	4.75	2.54	4.96	3.88	5.77	1.37	4.82	3.75	8.1	5.24	
MR-3-03-3112	% Missed Repair Appointment — CPE /TOK/FOK – Loop	5.9	2.72	7.22	1.27	7.15	2.53	7.68	1.42	10.62	3.43	
MR-3-03-3140	% Missed Repair Appointment — CPE /TOK/FOK – Platform	5.9	3.14	7.22	3.93	7.15	4.44	7.68	4.17	10.62	6.1	
MR-4 - Trouble Duration Intervals												
MR-4-01-3112	Mean Time To Repair – Total – Loop	18.87	18.63	18.07	17.57	17.81	18.02	18.8	17.86	21.73	18.63	
MR-4-01-3140	Mean Time To Repair – Total – Platform	18.87	17.88	18.07	16.83	17.81	16.43	18.8	18.25	21.73	19.94	
MR-4-02-3112	Mean Time to Repair – Loop Trouble – Loop	20.37	19.54	19.23	18.4	18.94	18.74	19.82	18.38	22.68	19.27	
MR-4-02-3140	Mean Time to Repair – Loop Trouble – Platform	20.37	19.3	19.23	17.55	18.94	17.24	19.82	19.05	22.68	20.66	
MR-4-03-3112	Mean Time To Repair – Central Office Trouble – Loop	8.4	11.38	7.63	8.96	8.11	10.99	7.43	12.13	9.48	12.04	
MR-4-03-3140	Mean Time To Repair – Central Office Trouble – Platform	8.4	8.86	7.63	10.3	8.11	8.55	7.43	9.82	9.48	10.19	
MR-4-04-3112	% Cleared (all troubles) within 24 Hours – Loop	76.69	79.79	78.2	78.39	79.74	76.7	77.43	77.51	69.55	76.2	
MR-4-04-3140	% Cleared (all troubles) within 24 Hours – Platform	76.69	79.08	78.2	82.43	79.74	84.45	77.43	80.46	69.55	74.15	
MR-4-06-3140	% Out of Service > 4 hours – Platform	76.15	75.4	77.94	77.15	77.37	77.33	79.12	81.93	83.31	82.19	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-07-3112	% Out of Service > 12 hours – Loop	61.03	64.09	61.85	61.8	59.72	61.12	62.08	63.15	65.4	69.02	
MR-4-07-3140	% Out of Service > 12 hours – Platform	61.03	61.78	61.85	63.76	59.72	63.93	62.08	67.36	65.4	67.5	
MR-4-08-3112	% Out of Service > 24 Hours – Loop	22.66	18.21	19.48	19.63	17.2	21.21	19.09	20.36	27.08	23.1	
MR-4-08-3140	% Out of Service > 24 Hours – Platform	22.66	18.52	19.48	14.9	17.2	12.41	19.09	15.46	27.08	22.44	
MR-5 - Repeat Trouble Reports												
MR-5-01-3112	% Repeat Reports within 30 Days – Loop	13.62	19.06	13.44	16.92	13.6	21.11	14.19	19.48	14.92	17.53	
MR-5-01-3140	% Repeat Reports within 30 Days – Platform	13.62	15	13.44	14.48	13.6	14.41	14.19	14.61	14.92	15.27	
Complex Services - 2 Wire Digital												
MR-2 - Trouble Report Rate												
MR-2-02-3341	Network Trouble Report Rate – Loop	0.28	0.56	0.29	0.68	0.32	0.81	0.34	0.77	0.32	0.73	
MR-2-03-3341	Network Trouble Report Rate – Central Office	0.11	0.12	0.12	0.16	0.11	0.08	0.12	0	0.08	0.2	
MR-2-04-3341	% Subsequent Reports	13.09	0	8.02	0	11.94	0	5.91	0	8.89	0	
MR-3 - Missed Repair Appointments												
MR-3-01-3341	% Missed Repair Appointment – Loop	32.77	7.14	37.19	0	35.11	5	30.99	0	38.93	0	
MR-3-02-3341	% Missed Repair Appointment – Central Office	19.15	0	13.73	0	8.7	0	10.2	NA	21.21	0	1,2,3,5
MR-4 - Trouble Duration Intervals												
MR-4-01-3341	Mean Time To Repair – Total	21.21	20.69	19.59	19.87	21.1	29.33	14.8	25.89	22.64	17.66	
MR-4-02-3341	Mean Time to Repair – Loop Trouble	24.63	23.11	24.57	23.26	24.62	32.02	16.78	25.89	25.02	21.16	
MR-4-03-3341	Mean Time To Repair – Central Office Trouble	12.53	9.43	7.77	5.47	11.09	2.4	9.08	NA	13.17	5.05	1,2,3,5
MR-4-07-3341	% Out of Service > 12 hours	57.45	70.59	54.22	70.59	50.98	76.19	50.67	91.67	55.06	57.89	
MR-4-08-3341	% Out of Service > 24 Hours	28.72	17.65	30.12	5.88	31.37	28.57	18.67	41.67	24.72	21.05	
MR-5 - Repeat Trouble Reports												
MR-5-01-3341	% Repeat Reports within 30 Days	13.25	11.76	29.65	19.05	21.47	40.91	17.8	21.05	21.95	13.04	
Complex Services - 2 Wire xDSL Loops												
MR-2 - Trouble Report Rate												
MR-2-02-3342	Network Trouble Report Rate – Loop	0.07	0.32	0.09	0.27	0.09	0.34	0.14	0.43	0.18	0.28	
MR-2-03-3342	Network Trouble Report Rate – Central Office	0.03	0.03	0.04	0.02	0.03	0.04	0.05	0.02	0.05	0.05	
MR-3 - Missed Repair Appointments												
MR-3-01-3342	% Missed Repair Appointment – Loop	12.94	4.48	20	4.11	26.26	5.41	15.69	5.1	25.45	7.69	

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Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-3-02-3342	% Missed Repair Appointment – Central Office	14.29	0	5.62	0	22.83	0	14.68	0	15.93	7.69	1,4
MR-4-02-3342	Mean Time to Repair – Loop Trouble	37.37	23.96	29.04	23.5	32.87	24.84	38.38	15.56	38.03	23.71	
MR-4-03-3342	Mean Time To Repair – Central Office Trouble	19.16	1.8	10.46	6.51	22.35	7.51	21.77	5.35	23.15	9.53	1,4
MR-4-07-3342	% Out of Service > 12 hours	71.61	70	66.67	61.33	72.41	66.67	77.82	51.85	81.15	67.74	
MR-4-08-3342	% Out of Service > 24 Hours	27.1	31.43	21.35	28	37.36	30.67	37.1	16.05	40.26	29.03	
MR-5 - Repeat Trouble Reports												
MR-5-01-3342	% Repeat Reports within 30 Days	47.53	18.92	46.08	16.87	44.5	13.64	44.27	21.36	36.94	20.51	
Complex Services - 2 Wire xDSL Line Sharing												
MR-2 - Trouble Report Rate												
MR-2-02-3343	Network Trouble Report Rate – Loop	0.07	0	0.09	0	0.09	0	0.14	0.12	0.18	0.28	
MR-2-03-3343	Network Trouble Report Rate – Central Office	0.03	0.06	0.04	0	0.03	0.12	0.05	0.06	0.05	0	
MR-3 - Missed Repair Appointments												
MR-3-01-3343	% Missed Repair Appointment – Loop	12.94	0	20	NA	26.26	NA	15.69	0	25.45	0	1,4,5
MR-3-02-3343	% Missed Repair Appointment – Central Office	14.29	0	5.62	0	22.83	0	14.68	0	15.93	NA	1,2,3,4
MR-4 - Trouble Duration Intervals												
MR-4-02-3343	Mean Time to Repair – Loop Trouble	37.37	20.53	29.04	NA	32.87	NA	38.38	47.36	38.03	15.31	1,4,5
MR-4-03-3343	Mean Time To Repair – Central Office Trouble	19.16	9.08	10.46	10.22	22.35	14.15	21.77	9.69	23.15	NA	1,2,3,4
MR-4-04-3343	% Cleared (all troubles) within 24 Hours	69.75	100	75.49	75	60.21	100	60.31	66.67	57.06	83.33	1,2,3,4,5
MR-4-07-3343	% Out of Service > 12 hours	71.61	60	66.67	25	72.41	50	77.82	60	81.15	50	1,2,3,4,5
MR-4-08-3343	% Out of Service > 24 Hours	27.1	0	21.35	25	37.36	0	37.1	20	40.26	16.67	1,2,3,4,5
MR-5 - Repeat Trouble Reports												
MR-5-01-3343	% Repeat Reports within 30 Days	47.53	20	46.08	0	44.5	0	44.27	33.33	36.94	33.33	1,2,3,4,5
Special Services - Maintenance												
MR-2 - Trouble Report Rate												
MR-2-01-3200	Network Trouble Report Rate	0.2	1.55	0.25	1.67	0.27	1.79	0.23	3.73	0.27	3.51	
MR-2-05-3200	% CPE/TOK/FOK Trouble Report Rate	0.4	1.7	0.46	1.51	0.5	1.18	0.47	2.32	0.57	2.65	
MR-4 - Trouble Duration Intervals												
MR-4-01-3200	Mean Time To Repair – Total	4.4	5.15	4.63	4.29	5.19	5.13	4.74	5.01	4.76	5.24	
MR-4-02-3200	Mean Time to Repair – Loop Trouble	4.94	5.31	5.32	5.03	5.66	5.1	5.21	5.28	5.6	5.53	

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
MR-4-04-3200	% Cleared (all troubles) within 24 Hours	99.76	100	98.29	100	98.59	99.08	98.51	99.32	98.4	100	
MR-4-06-3200	% Out of Service > 4 hours	40.66	55.71	38.86	46.67	47.7	49.45	42.13	44.09	42.27	58.33	
MR-4-07-3200	% Out of Service > 12 hours	4.73	4.29	5.14	1.33	6.89	5.49	6.17	7.87	5.68	3.79	
MR-4-08-3200	% Out of Service > 24 Hours	0.24	0	1.71	0	1.41	1.1	1.49	0.79	1.6	0	
MR-5 - Repeat Trouble Reports												
MR-5-01-3200	% Repeat Reports within 30 Days	14.15	13.1	15.62	12.63	17.64	16.51	17.62	13.51	17.2	18.83	
Trunks (Aggregate) - POTS/Special Services												
ORDERING												
OR 1 - Order Confirmation Timeliness												
OR-1-11-5020	Average Firm Order Confirmation (FOC) Time <=192 Forecasted Trunks		1.56		1.07		1		0.85		0.69	
OR-1-12-5020	% On Time FOC <= 192 Forecasted Trunks		100		100		100		100		100	
OR-1-13-5000	% On Time Design Layout Record (DLR)		100		100		100		100		100	1,2,3,5
OR-2 - Reject Timeliness												
OR-2-11-5020	Average Trunk ASR Reject Time <= 192 Forecasted Trunks		2		1		2		1		NA	
OR-2-12-5020	% On Time Trunk ASR Reject <= 192 Forecasted Trunks		100		100		100		100		NA	1,2,3,4
PROVISIONING												
PR-2 - Average Interval Completed												
PR-2-09-5020	Average Interval Completed – Total <= 192 Forecasted Trunks	9.84	5	11.65	10.57	8.83	11.5	11.11	9	11.5	10	1,2,3,5
PR-2-09-5030	Average Interval Completed – Total > 192 Forecasted & Unforecasted	NA	13	7	12	1152	8	NA	NA	NA	9.5	1,2,3,5

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PR-4 - Missed Appointment												
PR-4-01-5000	% Missed Appointment – Verizon – Total	0	0.91	0.35	0.12	0.17	0	0	0	0.27	0	
PR-4-02-5000	Average Delay Days – Total	NA	7	2	9	1	NA	NA	NA	4	NA	
PR-4-03-5000	% Missed Appointment – Customer	35.41	21.21	24.86	27.48	22.27	30.5	21.11	6.77	32.14	21.88	
PR-5 - Facility Missed Orders												
PR-5-01-5000	% Missed Appointment – Verizon – Facilities	0	0	0	0	0	0	0	0	0	0	
PR-5-02-5000	% Orders Held for Facilities > 15 Days	0	0	0	0	0	0	0	0	0	0	
PR-5-03-5000	% Orders Held for Facilities > 60 Days	0	0	0	0	0	0	0	0	0	0	
PR-6 - Installation Quality												
PR-6-01-5000	% Installation Troubles reported within 30 Days	0	0	0.01	0.01	0.01	0	0	0	0.02	0	
PR-6-03-5000	% Inst. Troubles reported within 30 Days – FOK/TOK/CPE	0	0	0	0	0	0	0	0	0	0	
MAINTENANCE												
MR-2 - Trouble Report Rate												
MR-2-01-5000	Network Trouble Report Rate – Total	0	0	0	0	0	0	0	0	0	0	
MR-4 - Trouble Duration Intervals												
MR-4-01-5000	Mean Time To Repair – Total	47.74	1.16	0.91	1.04	0.94	NA	56.99	NA	3.14	NA	2
MR-4-04-5000	% Cleared (all troubles) within 24 Hours	94.12	100	100	100	100	NA	85.71	NA	100	NA	2
MR-4-05-5000	% Out of Service > 2 Hours	23.53	25	5.56	14.29	0	NA	14.29	NA	22.22	NA	2
MR-4-06-5000	% Out of Service > 4 hours	5.88	0	0	0	0	NA	14.29	NA	22.22	NA	2
MR-4-07-5000	% Out of Service > 12 hours	5.88	0	0	0	0	NA	14.29	NA	11.11	NA	2
MR-4-08-5000	% Out of Service > 24 Hours	5.88	0	0	0	0	NA	14.29	NA	0	NA	2
MR-5 - Repeat Trouble Report Rates												
MR-5-01-5000	% Repeat Reports within 30 Days	5.88	5	5.56	0	0	NA	14.29	NA	0	NA	2

PENNSYLVANIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	February		March		April		May		June		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
NETWORK PERFORMANCE												
NP-1 - Percent Final Trunk Group Blockage												
NP-1-01-5400	% FTG Exceeding Blocking Standard – Dedicated Final Trunks		1.08		0		1.04		0.98		1	
NP-1-02-5400	% FTG Exceeding Blocking Standard (No Exceptions) – Dedicated Final Trunks		5.95		4.21		3.63		3.43		2.5	
NP-1-03-5400	Number Dedicated FTG Exceeding Blocking Standard – 2 Months		0		0		0		1		0	
NP-1-04-5400	Number Dedicated FTG Exceeding Blocking Standard – 3 Months		0		0		0		0		0	

Abbreviations: NA = No Activity.
UD = Under Development.
NEF = No Existing Functionality
blank cell = No data provided.
VZ = Verizon retail analog. If no data was provided, the metric may have a benchmark.

Notes: 1 = Sample Size under 10 for February.
2 = Sample Size under 10 for March.
3 = Sample Size under 10 for April.
4 = Sample Size under 10 for May.
5 = Sample Size under 10 for June.

Appendix F
Statutory Requirements

I. STATUTORY FRAMEWORK

1. The 1996 Act conditions BOC entry into the market for provision of in-region interLATA services on compliance with certain provisions of section 271.[1] BOCs must apply to the Federal Communications Commission (Commission or FCC) for authorization to provide interLATA services originating in any in-region state.[2] The Commission must issue a written determination on each application no later than 90 days after receiving such application.[3] Section 271(d)(2)(A) requires the Commission to consult with the Attorney General before making any determination approving or denying a section 271 application. The Attorney General is entitled to evaluate the application "using any standard the Attorney General considers appropriate," and the Commission is required to "give substantial weight to the Attorney General's evaluation."[4]

2. In addition, the Commission must consult with the relevant state commission to verify that the BOC has one or more state-approved interconnection agreements with a facilities-based competitor, or a Statement of Generally Available Terms and Conditions (SGAT), and that either the agreement(s) or general statement satisfy the "competitive checklist."[5] Because the Act does not prescribe any standard for the consideration of a state commission's verification under section 271(d)(2)(B), the Commission has discretion in each section 271 proceeding to

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[1] For purposes of section 271 proceedings, the Commission uses the definition of the term "Bell Operating Company" contained in 47 U.S.C. § 153(4).

[2] 47 U.S.C. § 271(d)(1). For purposes of section 271 proceedings, the Commission utilizes the definition of the term "in-region state" that is contained in 47 U.S.C. § 271(i)(1). Section 271(j) provides that a BOC's in-region services include 800 service, private line service, or their equivalents that terminate in an in-region state of that BOC and that allow the called party to determine the interLATA carrier, even if such services originate out-of-region. *Id.* § 271(j). The 1996 Act defines "interLATA services" as "telecommunications between a point located in a local access and transport area and a point located outside such area." *Id.* § 153(21). Under the 1996 Act, a "local access and transport area" (LATA) is "a contiguous geographic area (A) established before the date of enactment of the [1996 Act] by a [BOC] such that no exchange area includes points within more than 1 metropolitan statistical area, consolidated metropolitan statistical area, or State, except as expressly permitted under the AT&T Consent Decree; or (B) established or modified by a [BOC] after such date of enactment and approved by the Commission." *Id.* § 153(25). LATAs were created as part of the Modification of Final Judgment's (MFJ) "plan of reorganization." *United States v. Western Elec. Co.*, 569 F. Supp. 1057 (D.D.C. 1983), *aff'd sub nom. California v. United States*, 464 U.S. 1013 (1983). Pursuant to the MFJ, "all [BOC] territory in the continental United States [was] divided into LATAs, generally centering upon a city or other identifiable community of interest." *United States v. Western Elec. Co.*, 569 F. Supp. 990, 993-94 (D.D.C. 1983).

[3] 47 U.S.C. § 271(d)(3).

[4] *Id.* § 271(d)(2)(A).

[5] *Id.* § 271(d)(2)(B).

determine the amount of weight to accord the state commission's verification.[6] The Commission has held that, although it will consider carefully state determinations of fact that are supported by a detailed and extensive record, it is the FCC's role to determine whether the factual record supports the conclusion that particular requirements of section 271 have been met.[7]

3. Section 271 requires the Commission to make various findings before approving BOC entry. In order for the Commission to approve a BOC's application to provide in-region, interLATA services, a BOC must first demonstrate, with respect to each state for which it seeks authorization, that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or 271(c)(1)(B) (Track B).[8] In order to obtain authorization under section 271, the BOC must also show that: (1) it has "fully implemented the competitive checklist" contained in section 271(c)(2)(B);[9] (2) the requested authorization will be carried out in accordance with the requirements of section 272;[10] and (3) the BOC's entry into the in-region interLATA market is "consistent with the public interest, convenience, and necessity."[11] The statute specifies that, unless the Commission finds that these criteria have been satisfied, the Commission "shall not approve" the requested authorization.[12]

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6 *Bell Atlantic New York Order*, 15 FCC Rcd at 3962, para. 20; *Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended*, CC Docket No. 97-137, 12 FCC Rcd 20543, 20559-60 (1997) (*Ameritech Michigan Order*). As the D.C. Circuit has held, "[a]lthough the Commission must consult with the state commissions, the statute does not require the Commission to give State Commissions' views any particular weight." *SBC Communications Inc. v. FCC*, 138 F.3d 410, 416 (D.C. Cir. 1998).

7 *Ameritech Michigan Order*, 12 FCC Rcd at 20560; *SBC Communications v. FCC*, 138 F.3d at 416-17.

8 47 U.S.C. § 271(d)(3)(A). *See* Section III, *infra*, for a complete discussion of Track A and Track B requirements.

9 *Id.* §§ 271(c)(2)(B), 271(d)(3)(A)(i).

10 *Id.* § 272; *see Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905 (1996) (*Non-Accounting Safeguards Order*), *recon.*, Order on Reconsideration, 12 FCC Rcd 2297 (1997), *review pending sub nom., SBC Communications v. FCC*, No. 97-1118 (D.C. Cir., filed Mar. 6, 1997) (held in abeyance pursuant to court order filed May 7, 1997), *remanded in part sub nom., Bell Atlantic Telephone Companies v. FCC*, No. 97-1067 (D.C. Cir., filed Mar. 31, 1997), *on remand*, Second Order on Reconsideration, FCC 97-222 (rel. June 24, 1997), *petition for review denied sub nom. Bell Atlantic Telephone Companies v. FCC*, 113 F.3d 1044 (D.C. Cir. 1997); *Implementation of the Telecommunications Act of 1996; Accounting Safeguards Under the Telecommunications Act of 1996*, Report and Order, 11 FCC Rcd 17539 (1996).

11 47 U.S.C. § 271(d)(3)(C).

12 *Id.* § 271(d)(3); *see SBC Communications, Inc. v. FCC*, 138 F.3d at 416.

II. PROCEDURAL AND ANALYTICAL FRAMEWORK

4. To determine whether a BOC applicant has met the prerequisites for entry into the long distance market, the Commission evaluates its compliance with the competitive checklist, as developed in the FCC's local competition rules and orders in effect at the time the application was filed. Despite the comprehensiveness of these rules, there will inevitably be, in any section 271 proceeding, disputes over an incumbent LEC's precise obligations to its competitors that FCC rules have not addressed and that do not involve *per se* violations of self-executing requirements of the Act. As explained in prior orders, the section 271 process simply could not function as Congress intended if the Commission were required to resolve all such disputes as a precondition to granting a section 271 application.[13] In the context of section 271's adjudicatory framework, the Commission has established certain procedural rules governing BOC section 271 applications.[14] The Commission has explained in prior orders the procedural rules it has developed to facilitate the review process.[15] Here we describe how the Commission considers the evidence of compliance that the BOC presents in its application.

5. As part of the determination that a BOC has satisfied the requirements of section 271, the Commission considers whether the BOC has fully implemented the competitive checklist in subsection (c)(2)(B). The BOC at all times bears the burden of proof of compliance with section 271, even if no party challenges its compliance with a particular requirement.[16] In demonstrating its compliance, a BOC must show that it has a concrete and specific legal obligation to furnish the item upon request pursuant to state-approved interconnection agreements that set forth prices and other terms and conditions for each checklist item, and that it is currently furnishing, or is ready to furnish, the checklist items in quantities that competitors may reasonably demand and at an acceptable level of quality.[17] In particular, the BOC must demonstrate that it is offering interconnection and access to network elements on a

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[13] *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6246, para. 19; *see also American Tel. & Tel. Co. v. FCC*, 220 F.3d 607, 631 (D.C. Cir. 2000).

[14] *See Procedures for Bell Operating Company Applications Under New Section 271 of the Communications Act*, Public Notice, 11 FCC Rcd 19708, 19711 (1996); *Revised Comment Schedule For Ameritech Michigan Application, as amended, for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Services in the State of Michigan*, Public Notice, DA 97-127 (rel. Jan. 17, 1997); *Revised Procedures for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, 13 FCC Rcd 17457 (1997); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA 99-1994 (rel. Sept. 28, 1999); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA 01-734 (CCB rel. Mar. 23, 2001) (collectively "271 Procedural Public Notices").

[15] *See, e.g.*, *SWBT Kansas/Oklahoma Order* 16 FCC Rcd at 6247-50, paras. 21-27; *SWBT Texas Order*, 15 FCC Rcd at 18370-73, paras. 34-42; *Bell Atlantic New York Order*, 15 FCC Rcd at 3968-71, paras. 32-42.

[16] *See SWBT Texas Order*, 15 FCC Rcd at 18374, para. 46; *Bell Atlantic New York Order*, 15 FCC Rcd at 3972, para. 46.

[17] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3973-74, para. 52.

nondiscriminatory basis.[18] Previous Commission orders addressing section 271 applications have elaborated on this statutory standard.[19] First, for those functions the BOC provides to competing carriers that are analogous to the functions a BOC provides to itself in connection with its own retail service offerings, the BOC must provide access to competing carriers in "substantially the same time and manner" as it provides to itself.[20] Thus, where a retail analogue exists, a BOC must provide access that is equal to (i.e., substantially the same as) the level of access that the BOC provides itself, its customers, or its affiliates, in terms of quality, accuracy, and timeliness.[21] For those functions that have no retail analogue, the BOC must demonstrate that the access it provides to competing carriers would offer an efficient carrier a "meaningful opportunity to compete."[22]

6. The determination of whether the statutory standard is met is ultimately a judgment the Commission must make based on its expertise in promoting competition in local markets and in telecommunications regulation generally.[23] The Commission has not established, nor does it believe it appropriate to establish, specific objective criteria for what constitutes "substantially the same time and manner" or a "meaningful opportunity to compete."[24] Whether this legal standard is met can only be decided based on an analysis of specific facts and circumstances. Therefore, the Commission looks at each application on a case-by-case basis and considers the totality of the circumstances, including the origin and quality of the information in the record, to determine whether the nondiscrimination requirements of the Act are met.

A. Performance Data

7. As established in prior section 271 orders, the Commission has found that performance measurements provide valuable evidence regarding a BOC's compliance or noncompliance with individual checklist items. The Commission expects that, in its *prima facie* case in the initial application, a BOC relying on performance data will:

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[18] *See* 47 U.S.C. § 271(c)(2)(B)(i), (ii).

[19] *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6250-51, paras. 28-29; *Bell Atlantic New York Order*, 15 FCC Rcd at 3971-72, paras. 44-46.

[20] *SWBT Texas Order*, 15 FCC Rcd at 18373, para. 44; *Bell Atlantic New York Order*, 15 FCC Rcd at 3971, para. 44.

[21] *Bell Atlantic New York Order*, 15 FCC Rcd at 3971, para. 44; *Ameritech Michigan Order*, 12 FCC Rcd at 20618-19.

[22] *Id.*

[23] *SWBT Texas Order*, 15 FCC Rcd at 18374, para. 46; *Bell Atlantic New York Order*, 15 FCC Rcd at 3972, para. 46.

[24] *Id.*

a) provide sufficient performance data to support its contention that the statutory requirements are satisfied;

b) identify the facial disparities between the applicant's performance for itself and its performance for competitors;

c) explain why those facial disparities are anomalous, caused by forces beyond the applicant's control (e.g., competing carrier-caused errors), or have no meaningful adverse impact on a competing carrier's ability to obtain and serve customers; and

d) provide the underlying data, analysis, and methodologies necessary to enable the Commission and commenters meaningfully to evaluate and contest the validity of the applicant's explanations for performance disparities, including, for example, carrier specific carrier-to-carrier performance data.

8. The Commission has explained in prior orders that parity and benchmark standards established by state commissions do not represent absolute maximum or minimum levels of performance necessary to satisfy the competitive checklist. Rather, where these standards are developed through open proceedings with input from both the incumbent and competing carriers, these standards can represent informed and reliable attempts to objectively approximate whether competing carriers are being served by the incumbent in substantially the same time and manner, or in a way that provides them a meaningful opportunity to compete.[25] Thus, to the extent there is no statistically significant difference between a BOC's provision of service to competing carriers and its own retail customers, the Commission generally need not look any further. Likewise, if a BOC's provision of service to competing carriers satisfies the performance benchmark, the analysis is usually done. Otherwise, the Commission will examine the evidence further to make a determination whether the statutory nondiscrimination requirements are met.[26] Thus, the Commission will examine the explanations that a BOC and others provide about whether these data accurately depict the quality of the BOC's performance. The Commission also may examine how many months a variation in performance has existed and what the recent trend has been. The Commission may find that statistically significant differences exist, but conclude that such differences have little or no competitive significance in the marketplace. In such cases, the Commission may conclude that the differences are not meaningful in terms of statutory compliance. Ultimately, the determination of whether a BOC's performance meets the statutory requirements necessarily is a contextual decision based on the totality of the circumstances and information before the Commission.

9. Where there are multiple performance measures associated with a particular checklist item, the Commission would consider the performance demonstrated by all the measurements as a whole. Accordingly, a disparity in performance for one measure, by itself,

[25] *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6252, para. 31; *SWBT Texas Order*, 15 FCC Rcd at 18377, para. 55 & n.102.

[26] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3970, para. 59.

may not provide a basis for finding noncompliance with the checklist. The Commission may also find that the reported performance data are affected by factors beyond a BOC's control, a finding that would make it less likely to hold the BOC wholly accountable for the disparity. This is not to say, however, that performance discrepancies on a single performance metric are unimportant. Indeed, under certain circumstances, disparity with respect to one performance measurement may support a finding of statutory noncompliance, particularly if the disparity is substantial or has endured for a long time, or if it is accompanied by other evidence of discriminatory conduct or evidence that competing carriers have been denied a meaningful opportunity to compete.

10. In sum, the Commission does not use performance measurements as a substitute for the 14-point competitive checklist. Rather, it uses performance measurements as valuable evidence with which to inform the judgment as to whether a BOC has complied with the checklist requirements. Although performance measurements add necessary objectivity and predictability to the review, they cannot wholly replace the Commission's own judgment as to whether a BOC has complied with the competitive checklist.

B. Relevance of Previous Section 271 Approvals

11. In some section 271 applications, the volumes of the BOC's commercial orders may be significantly lower than they were in prior proceedings. In certain instances, volumes may be so low as to render the performance data inconsistent and inconclusive.[27] Performance data based on low volumes of orders or other transactions are not as reliable an indicator of checklist compliance as performance based on larger numbers of observations. Indeed, where performance data are based on a low number of observations, small variations in performance may produce wide swings in the reported performance data. It is thus not possible to place the same evidentiary weight upon – and to draw the same types of conclusions from – performance data where volumes are low, as for data based on more robust activity.

12. In such cases, findings in prior, related section 271 proceedings may be a relevant factor in the Commission's analysis. Where a BOC provides evidence that a particular system reviewed and approved in a prior section 271 proceeding is also used in the proceeding at hand, the Commission's review of the same system in the current proceeding will be informed by the findings in the prior one. Indeed, to the extent that issues have already been briefed, reviewed and resolved in a prior section 271 proceeding, and absent new evidence or changed circumstances, an application for a related state should not be a forum for re-litigating and reconsidering those issues. Appropriately employed, such a practice can give us a fuller picture of the BOC's compliance with the section 271 requirements while avoiding, for all parties

[27] The Commission has never required, however, an applicant to demonstrate that it processes and provisions a substantial commercial volume of orders, or has achieved a specific market share in its service area, as a prerequisite for satisfying the competitive checklist. *See Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 77 (explaining that Congress had considered and rejected language that would have imposed a "market share" requirement in section 271(c)(1)(A)).

involved in the section 271 process, the delay and expense associated with redundant and unnecessary proceedings and submissions.

13. However, the statute requires the Commission to make a separate determination of checklist compliance for each state and, accordingly, we do not consider any finding from previous section 271 orders to be dispositive of checklist compliance in current proceedings. While the Commission's review may be informed by prior findings, the Commission will consider all relevant evidence in the record, including state-specific factors identified by commenting parties, the states, the Department of Justice. However, the Commission has always held that an applicant's performance towards competing carriers in an actual commercial environment is the best evidence of nondiscriminatory access to OSS and other network elements.[28] Thus, the BOC's actual performance in the applicant state may be relevant to the analysis and determinations with respect to the 14 checklist items. Evidence of satisfactory performance in another state cannot trump convincing evidence that an applicant fails to provide nondiscriminatory access to a network element in the applicant state.

14. Moreover, because the Commission's review of a section 271 application must be based on a snapshot of a BOC's recent performance at the time an application is filed, the Commission cannot simply rely on findings relating to an applicant's performance in an anchor state at the time it issued the determination for that state. The performance in that state could change due to a multitude of factors, such as increased order volumes or shifts in the mix of the types of services or UNEs requested by competing carriers. Thus, even when the applicant makes a convincing showing of the relevance of anchor state data, the Commission must examine how recent performance in that state compares to performance at the time it approved that state's section 271 application, in order to determine if the systems and processes continue to perform at acceptable levels.

III. COMPLIANCE WITH ENTRY REQUIREMENTS – SECTIONS 271(c)(1)(A) & 271(c)(1)(B)

15. As noted above, in order for the Commission to approve a BOC's application to provide in-region, interLATA services, a BOC must first demonstrate that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or 271(c)(1)(B) (Track B).[29] To qualify for Track A, a BOC must have interconnection agreements with one or more competing providers of "telephone exchange service . . . to residential and business subscribers."[30] The Act states that "such telephone service may be offered . . . either exclusively over [the competitor's] own telephone exchange service facilities or predominantly over [the competitor's] own telephone exchange facilities in combination with the resale of the telecommunications services

[28] *See SWBT Texas Order*, 15 FCC Rcd at 18376, para. 53; *Bell Atlantic New York Order*, 15 FCC Rcd at 3974, para. 53.

[29] *See* 47 U.S.C. § 271(d)(3)(A).

[30] *Id.*

of another carrier."[31] The Commission concluded in the *Ameritech Michigan Order* that section 271(c)(1)(A) is satisfied if one or more competing providers collectively serve residential and business subscribers.[32]

16. As an alternative to Track A, Section 271(c)(1)(B) permits BOCs to obtain authority to provide in-region, interLATA services if, after 10 months from the date of enactment, no facilities-based provider, as described in subparagraph (A), has requested the access and interconnection arrangements described therein (referencing one or more binding agreements approved under Section 252), but the state has approved an SGAT that satisfies the competitive checklist of subsection (c)(2)(B). Under section 271(d)(3)(A)(ii), the Commission shall not approve such a request for in-region, interLATA service unless the BOC demonstrates that, "with respect to access and interconnection generally offered pursuant to [an SGAT], such statement offers all of the items included in the competitive checklist."[33] Track B, however, is not available to a BOC if it has already received a request for access and interconnection from a prospective competing provider of telephone exchange service.[34]

IV. COMPLIANCE WITH THE COMPETITIVE CHECKLIST – SECTION 271(c)(2)(B)

A. Checklist Item 1 – Interconnection

17. Section 271(c)(2)(B)(i) of the Act requires a section 271 applicant to provide "[i]nterconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)."[35] Section 251(c)(2) imposes a duty on incumbent LECs "to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with the local exchange carrier's network . . . for the transmission and routing of telephone exchange service and exchange access."[36] In the *Local Competition First Report and Order*, the Commission concluded that interconnection referred "only to the physical linking of two networks for the

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31 *Id.*

32 *See Ameritech Michigan Order*, 12 FCC Rcd at 20589, para. 85; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20633-35, paras. 46-48.

33 47 U.S.C. § 271(d)(3)(A)(ii).

34 *See Ameritech Michigan Order*, 12 FCC Rcd at 20561-62, para. 34. Nevertheless, the above-mentioned foreclosure of Track B as an option is subject to limited exceptions. *See* 47 U.S.C. § 271(c)(1)(B); *see also Ameritech Michigan Order*, 12 FCC Rcd at 20563-64, paras. 37-38.

35 47 U.S.C. § 271(c)(2)(B)(i); *see Bell Atlantic New York Order*, 15 FCC Rcd at 3977-78, para. 63; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640, para. 61; *Ameritech Michigan Order*, 12 FCC Rcd at 20662, para. 222.

36 47 U.S.C. § 251(c)(2)(A).

mutual exchange of traffic."[37] Section 251 contains three requirements for the provision of interconnection. First, an incumbent LEC must provide interconnection "at any technically feasible point within the carrier's network."[38] Second, an incumbent LEC must provide interconnection that is "at least equal in quality to that provided by the local exchange carrier to itself."[39] Finally, the incumbent LEC must provide interconnection "on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, in accordance with the terms of the agreement and the requirements of [section 251] and section 252."[40]

18. To implement the equal-in-quality requirement in section 251, the Commission's rules require an incumbent LEC to design and operate its interconnection facilities to meet "the same technical criteria and service standards" that are used for the interoffice trunks within the incumbent LEC's network.[41] In the *Local Competition First Report and Order*, the Commission identified trunk group blockage and transmission standards as indicators of an incumbent LEC's technical criteria and service standards.[42] In prior section 271 applications, the Commission concluded that disparities in trunk group blockage indicated a failure to provide interconnection to competing carriers equal-in-quality to the interconnection the BOC provided to its own retail operations.[43]

19. In the *Local Competition First Report and Order*, the Commission concluded that the requirement to provide interconnection on terms and conditions that are "just, reasonable, and nondiscriminatory" means that an incumbent LEC must provide interconnection to a competitor in a manner no less efficient than the way in which the incumbent LEC provides the

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[37] *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, First Report and Order, 11 FCC Rcd 15499, 15590, para. 176 (1996) (*Local Competition First Report and Order*). Transport and termination of traffic are therefore excluded from the Commission's definition of interconnection. *See id.*

[38] 47 U.S.C. § 251(c)(2)(B). In the *Local Competition First Report and Order*, the Commission identified a minimum set of technically feasible points of interconnection. *See Local Competition First Report and Order*, 11 FCC Rcd at 15607-09, paras. 204-11.

[39] 47 U.S.C. § 251(c)(2)(C).

[40] *Id.* § 251(c)(2)(D).

[41] *Local Competition First Report and Order*, 11 FCC Rcd at 15613-15, paras. 221-225; *see Bell Atlantic New York Order*, 15 FCC Rcd at 3978, para. 64; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20641-42, paras. 63-64.

[42] *Local Competition First Report and Order*, 11 FCC Rcd at 15614-15, paras. 224-25.

[43] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3978, para. 64; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20648-50, paras. 74-77; *Ameritech Michigan Order*, 12 FCC Rcd at 20671-74, paras. 240-45. The Commission has relied on trunk blockage data to evaluate a BOC's interconnection performance. Trunk group blockage indicates that end users are experiencing difficulty completing or receiving calls, which may have a direct impact on the customer's perception of a competitive LEC's service quality.

comparable function to its own retail operations.[44] The Commission's rules interpret this obligation to include, among other things, the incumbent LEC's installation time for interconnection service[45] and its provisioning of two-way trunking arrangements.[46] Similarly, repair time for troubles affecting interconnection trunks is useful for determining whether a BOC provides interconnection service under "terms and conditions that are no less favorable than the terms and conditions" the BOC provides to its own retail operations.[47]

20. Competing carriers may choose any method of technically feasible interconnection at a particular point on the incumbent LEC's network.[48] Incumbent LEC provision of interconnection trunking is one common means of interconnection. Technically feasible methods also include, but are not limited to, physical and virtual collocation and meet point arrangements.[49] The provision of collocation is an essential prerequisite to demonstrating compliance with item 1 of the competitive checklist.[50] In the *Advanced Services First Report and Order*, the Commission revised its collocation rules to require incumbent LECs to include shared cage and cageless collocation arrangements as part of their physical collocation offerings.[51] In response to a remand from the D.C. Circuit, the Commission adopted the *Collocation Remand Order*, establishing revised criteria for equipment for which incumbent LECs must permit collocation, requiring incumbent LECs to provide cross-connects between

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[44] *Local Competition First Report and Order*, 11 FCC Rcd at 15612, para. 218; *see also Bell Atlantic New York* Order, 15 FCC Rcd at 3978, para. 65; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20642, para. 65.

[45] 47 C.F.R. § 51.305(a)(5).

[46] The Commission's rules require an incumbent LEC to provide two-way trunking upon request, wherever two-way trunking arrangements are technically feasible. 47 C.F.R. § 51.305(f); *see also Bell Atlantic New York Order*, 15 FCC Rcd at 3978-79, para. 65; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20642, para. 65; *Local Competition First Report and Order*, 11 FCC Rcd 15612-13, paras. 219-20.

[47] 47 C.F.R. § 51.305(a)(5).

[48] *Local Competition First Report and Order*, 11 FCC Rcd at 15779, paras. 549-50; *see Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, para. 61.

[49] 47 C.F.R. § 51.321(b); *Local Competition First Report and Order*, 11 FCC Rcd at 15779-82, paras. 549-50; *see also Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, para. 62.

[50] 47 U.S.C. § 251(c)(6) (requiring incumbent LECs to provide physical collocation); *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, paras. 61-62.

[51] *Deployment of Wireline Services offering Advanced Telecommunications Capability*, First Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 4761, 4784-86, paras. 41-43 (1999), *aff'd in part and vacated and remanded in part sub nom. GTE Service Corp. v. FCC*, 205 F.3d 416 (D.C. Cir. 2000), *on recon., Collocation Reconsideration Order*, 15 FCC Rcd 17806 (2000); *on remand, Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report and Order, 16 FCC Rcd 15435 (2001) (*Collocation Remand Order*), *petition for recon. pending.*

collocated carriers, and establishing principles for physical collocation space and configuration.[52] To show compliance with its collocation obligations, a BOC must have processes and procedures in place to ensure that all applicable collocation arrangements are available on terms and conditions that are "just, reasonable, and nondiscriminatory" in accordance with section 251(c)(6) and the FCC's implementing rules.[53] Data showing the quality of procedures for processing applications for collocation space, as well as the timeliness and efficiency of provisioning collocation space, help the Commission evaluate a BOC's compliance with its collocation obligations.[54]

21. As stated above, checklist item 1 requires a BOC to provide "interconnection in accordance with the requirements of sections 251(c)(2) *and* 252(d)(1)."[55] Section 252(d)(1) requires state determinations regarding the rates, terms, and conditions of interconnection to be based on cost and to be nondiscriminatory, and allows the rates to include a reasonable profit.[56] The Commission's pricing rules require, among other things, that in order to comply with its collocation obligations, an incumbent LEC provide collocation based on TELRIC.[57]

22. To the extent pricing disputes arise, the Commission will not duplicate the work of the state commissions. As noted in the *SWBT Texas Order*, the Act authorizes the state commissions to resolve specific carrier-to-carrier disputes arising under the local competition provisions, and it authorizes the federal district courts to ensure that the results of the state arbitration process are consistent with federal law.[58] Although the Commission has an independent statutory obligation to ensure compliance with the checklist, section 271 does not compel us to preempt the orderly disposition of intercarrier disputes by the state commissions, particularly now that the Supreme Court has restored the Commission's pricing jurisdiction and has thereby directed the state commissions to follow FCC pricing rules in their disposition of those disputes.[59]

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[52] *See Collocation Remand Order*, 16 FCC Rcd at 15441-42, para. 12.

[53] *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20643, para. 66; *BellSouth Carolina Order*, 13 FCC Rcd at 649-51, para. 62.

[54] *Bell Atlantic New York Order*, 15 FCC Rcd at 3979, para. 66; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20640-41, paras. 61-62.

[55] 47 U.S.C. § 271(c)(2)(B)(i) (emphasis added).

[56] *Id.* § 252(d)(1).

[57] *See* 47 C.F.R. §§ 51.501-07, 51.509(g); *Local Competition First Report and Order*, 11 FCC Rcd at 15812-16, 15844-61, 15874-76, 15912, paras. 618-29, 674-712, 743-51, 826.

[58] *See SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; *see also* 47 U.S.C. §§ 252(c), (e)(6); *American Tel. & Tel Co. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999) (*AT&T v. Iowa Utils. Bd.*).

[59] *SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. at 377-86.

23. Consistent with the Commission's precedent, the mere presence of interim rates will not generally threaten a section 271 application so long as: (1) an interim solution to a particular rate dispute is reasonable under the circumstances; (2) the state commission has demonstrated its commitment to the Commission's pricing rules; and (3) provision is made for refunds or true-ups once permanent rates are set.[60] In addition, the Commission has determined that rates contained within an approved section 271 application, including those that are interim, are reasonable starting points for interim rates for the same carrier in an adjoining state.[61]

24. Although the Commission has been willing to grant a section 271 application with a limited number of interim rates where the above-mentioned three-part test is met, it is clearly preferable to analyze a section 271 application on the basis of rates derived from a permanent rate proceeding.[62] At some point, states will have had sufficient time to complete these proceedings. The Commission will, therefore, become more reluctant to continue approving section 271 applications containing interim rates. It would not be sound policy for interim rates to become a substitute for completing these significant proceedings.

B. Checklist Item 2 – Unbundled Network Elements[63]

1. Access to Operations Support Systems

25. Incumbent LECs use a variety of systems, databases, and personnel (collectively referred to as OSS) to provide service to their customers.[64] The Commission consistently has

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[60] *SWBT Texas Order*, 15 FCC Rcd at 18394, para. 88; *see also Bell Atlantic New York Order*, 15 FCC Rcd at 4091, para. 258 (explaining the Commission's case-by-case review of interim prices).

[61] *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6359-60, para. 239.

[62] *See Bell Atlantic New York Order*, 15 FCC Rcd at 4091, para. 260.

[63] We note that the United States Court of Appeals for the District of Columbia Circuit recently opined in two relevant Commission decisions, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696 (1999) (*Local Competition Order*) and *Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order in CC Doc. No. 98-147 and Fourth Report and Order in CC Doc. No. 96-98, 14 FCC Rcd 20912 (1999) (*Line Sharing Order*). *USTA v. FCC*, 290 F.3d 415 (D. C. Cir. 2002), *petition for rehearing and suggestion for rehearing en banc denied Sept. 4, 2002*. The court's decision addressed both our UNE rules and our line sharing rules. The Commission is currently reviewing its UNE rules, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, 16 FCC Rcd 22781 (2001) *(Triennial Review Notice)*. Further, the court stated that "the *Line Sharing Order* must be vacated and remanded." *USTA v. FCC*, 290 F.3d at 429. The court also stated that it "grant[ed] the petitions for review[] and remand[ed] the *Line Sharing Order* and the *Local Competition Order* to the Commission for further consideration in accordance with the principles outlined." *Id.* at 430. On September 4, 2002, the D.C. Circuit denied petitions for rehearing filed by the Commission and others. *See Order*, Nos. 00-1012 and 00-1015 (D.C. Circuit, filed Sept. 4, 2002).

[64] *Id.* at 3989-90, para. 83; *BellSouth South Carolina Order*, 13 FCC Rcd at 585.

found that nondiscriminatory access to OSS is a prerequisite to the development of meaningful local competition.[65] For example, new entrants must have access to the functions performed by the incumbent's OSS in order to formulate and place orders for network elements or resale services, to install service to their customers, to maintain and repair network facilities, and to bill customers.[66] The Commission has determined that without nondiscriminatory access to the BOC's OSS, a competing carrier "will be severely disadvantaged, if not precluded altogether, from fairly competing" in the local exchange market.[67]

26. Section 271 requires the Commission to determine whether a BOC offers nondiscriminatory access to OSS functions. Section 271(c)(2)(B)(ii) requires a BOC to provide "nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1)."[68] The Commission has determined that access to OSS functions falls squarely within an incumbent LEC's duty under section 251(c)(3) to provide unbundled network elements (UNEs) under terms and conditions that are nondiscriminatory and just and reasonable, and its duty under section 251(c)(4) to offer resale services without imposing any limitations or conditions that are discriminatory or unreasonable.[69] The Commission must therefore examine a BOC's OSS performance to evaluate compliance with section 271(c)(2)(B)(ii) and (xiv).[70] In addition, the Commission has also concluded that the duty to provide nondiscriminatory access to OSS functions is embodied in other terms of the competitive checklist as well.[71] Consistent with prior orders, the Commission examines a BOC's OSS performance directly under checklist items 2 and 14, as well as other checklist terms.[72]

27. As part of its statutory obligation to provide nondiscriminatory access to OSS functions, a BOC must provide access that sufficiently supports each of the three modes of competitive entry envisioned by the 1996 Act – competitor-owned facilities, UNEs, and resale.[73]

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[65] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 83; *BellSouth South Carolina Order*, 13 FCC Rcd at 547-48, 585; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20653.

[66] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 83.

[67] *Id.*

[68] 47 U.S.C. § 271(c)(2)(B)(ii).

[69] *Bell Atlantic New York Order*, 15 FCC Rcd at 3990, para. 84.

[70] *Id.*

[71] *Id.* As part of a BOC's demonstration that it is "providing" a checklist item (*e.g.*, unbundled loops, unbundled local switching, resale services), it must demonstrate that it is providing nondiscriminatory access to the systems, information, and personnel that support that element or service. An examination of a BOC's OSS performance is therefore integral to the determination of whether a BOC is offering all of the items contained in the competitive checklist. *Id.*

[72] *Id.* at 3990-91, para. 84.

[73] *Id.* at 3991, para. 85.

For OSS functions that are analogous to those that a BOC provides to itself, its customers or its affiliates, the nondiscrimination standard requires the BOC to offer requesting carriers access that is equivalent in terms of quality, accuracy, and timeliness.[74] The BOC must provide access that permits competing carriers to perform these functions in "substantially the same time and manner" as the BOC.[75] The Commission has recognized in prior orders that there may be situations in which a BOC contends that, although equivalent access has not been achieved for an analogous function, the access that it provides is nonetheless nondiscriminatory within the meaning of the statute.[76]

28. For OSS functions that have no retail analogue, the BOC must offer access "sufficient to allow an efficient competitor a meaningful opportunity to compete."[77] In assessing whether the quality of access affords an efficient competitor a meaningful opportunity to compete, the Commission will examine, in the first instance, whether specific performance standards exist for those functions.[78] In particular, the Commission will consider whether appropriate standards for measuring OSS performance have been adopted by the relevant state commission or agreed upon by the BOC in an interconnection agreement or during the implementation of such an agreement.[79] If such performance standards exist, the Commission will evaluate whether the BOC's performance is sufficient to allow an efficient competitor a meaningful opportunity to compete.[80]

29. The Commission analyzes whether a BOC has met the nondiscrimination standard for each OSS function using a two-step approach. First, the Commission determines "whether the BOC has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and whether the BOC is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to

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74 *Id.*

75 *Id.* For example, the Commission would not deem an incumbent LEC to be providing nondiscriminatory access to OSS if limitations on the processing of information between the interface and the back office systems prevented a competitor from performing a specific function in substantially the same time and manner as the incumbent performs that function for itself.

76 *See id.*

77 *Id.* at 3991, para. 86.

78 *Id.*

79 *Id.* As a general proposition, specific performance standards adopted by a state commission in an arbitration decision would be more persuasive evidence of commercial reasonableness than a standard unilaterally adopted by the BOC outside of its interconnection agreement. *Id.* at 20619-20.

80 *See id.* at 3991-92, para. 86.

them."[81] The Commission next assesses "whether the OSS functions that the BOC has deployed are operationally ready, as a practical matter."[82]

30. Under the first inquiry, a BOC must demonstrate that it has developed sufficient electronic (for functions that the BOC accesses electronically) and manual interfaces to allow competing carriers equivalent access to all of the necessary OSS functions.[83] For example, a BOC must provide competing carriers with the specifications necessary for carriers to design or modify their systems in a manner that will enable them to communicate with the BOC's systems and any relevant interfaces.[84] In addition, a BOC must disclose to competing carriers any internal business rules[85] and other formatting information necessary to ensure that a carrier's requests and orders are processed efficiently.[86] Finally, a BOC must demonstrate that its OSS is designed to accommodate both current demand and projected demand for competing carriers' access to OSS functions.[87] Although not a prerequisite, the Commission continues to encourage the use of industry standards as an appropriate means of meeting the needs of a competitive local exchange market.[88]

31. Under the second inquiry, the Commission examines performance measurements and other evidence of commercial readiness to ascertain whether the BOC's OSS is handling

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[81] *Id.* at 3992, para. 87; *Ameritech Michigan Order*, 12 FCC Rcd at 20616; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20654; *BellSouth South Carolina Order*, 13 FCC Rcd at 592-93. In making this determination, the Commission "consider[s] all of the automated and manual processes a BOC has undertaken to provide access to OSS functions," including the interface (or gateway) that connects the competing carrier's own operations support systems to the BOC; any electronic or manual processing link between that interface and the BOC's OSS (including all necessary back office systems and personnel); and all of the OSS that a BOC uses in providing network elements and resale services to a competing carrier. *Ameritech Michigan Order*, 12 FCC Rcd at 20615; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20654 n.241.

[82] *See Bell Atlantic New York Order*, 15 FCC Rcd at 3992, para. 88.

[83] *Id.* at 3992, para. 87; *see also Ameritech Michigan Order*, 12 FCC Rcd at 20616, para. 136 (The Commission determines "whether the BOC has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and whether the BOC is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them."). For example, a BOC must provide competing carriers the specifications necessary to design their systems interfaces and business rules necessary to format orders, and demonstrate that systems are scalable to handle current and projected demand. *Id.*

[84] *Id.*

[85] Business rules refer to the protocols that a BOC uses to ensure uniformity in the format of orders and include information concerning ordering codes such as universal service ordering codes (USOCs) and field identifiers (FIDs). *Id.*; *see also Ameritech Michigan Order*, 12 FCC Rcd at 20617 n.335.

[86] *Bell Atlantic New York Order*, 15 FCC Rcd at 3992, para. 88.

[87] *Id.*

[88] *See id.*

current demand and will be able to handle reasonably foreseeable future volumes.[89] The most probative evidence that OSS functions are operationally ready is actual commercial usage.[90] Absent sufficient and reliable data on commercial usage, the Commission will consider the results of carrier-to-carrier testing, independent third-party testing, and internal testing in assessing the commercial readiness of a BOC's OSS.[91] Although the Commission does not require OSS testing, a persuasive test will provide us with an objective means by which to evaluate a BOC's OSS readiness where there is little to no evidence of commercial usage, or may otherwise strengthen an application where the BOC's evidence of actual commercial usage is weak or is otherwise challenged by competitors. The persuasiveness of a third-party review, however, is dependent upon the qualifications, experience and independence of the third party and the conditions and scope of the review itself.[92] If the review is limited in scope or depth or is not independent and blind, the Commission will give it minimal weight. As noted above, to the extent the Commission reviews performance data, it looks at the totality of the circumstances and generally does not view individual performance disparities, particularly if they are isolated and slight, as dispositive of whether a BOC has satisfied its checklist obligations.[93] Individual performance disparities may, nevertheless, result in a finding of checklist noncompliance, particularly if the disparity is substantial or has endured for a long time, or if it is accompanied by other evidence of discriminatory conduct or evidence that competing carriers have been denied a meaningful opportunity to compete.

a. Relevance of a BOC's Prior Section 271 Orders

32. The *SWBT Kansas/Oklahoma Order* specifically outlined a non-exhaustive evidentiary showing that must be made in the initial application when a BOC seeks to rely on evidence presented in another application.[94] First, a BOC's application must explain the extent to which the OSS are "the same" – that is, whether it employs the shared use of a single OSS, or the use of systems that are identical, but separate.[95] To satisfy this inquiry, the Commission looks to whether the relevant states utilize a common set of processes, business rules, interfaces,

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89 *Id.* at 3993, para. 89.

90 *Id.*

91 *Id.*

92 *See id.*; *Ameritech Michigan Order*, 12 FCC Rcd at 20659 (emphasizing that a third-party review should encompass the entire obligation of the incumbent LEC to provide nondiscriminatory access, and, where applicable, should consider the ability of actual competing carriers in the market to operate using the incumbent's OSS access).

93 *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6301-02, para. 138.

94 *See id.* at 6286-91, paras. 107-18

95 *See id.* at 6288, para. 111.

systems and, in many instances, even personnel.[96] The Commission will also carefully examine third party reports that demonstrate that the BOC's OSS are the same in each of the relevant states.[97] Finally, where a BOC has discernibly separate OSS, it must demonstrate that its OSS reasonably can be expected to behave in the same manner.[98] Second, unless an applicant seeks to establish only that certain discrete components of its OSS are the same, an applicant must submit evidence relating to *all* aspects of its OSS, including those OSS functions performed by BOC personnel.

b. Pre-Ordering

33. A BOC must demonstrate that: (i) it offers nondiscriminatory access to OSS pre-ordering functions associated with determining whether a loop is capable of supporting xDSL advanced technologies; (ii) competing carriers successfully have built and are using application-to-application interfaces to perform pre-ordering functions and are able to integrate pre-ordering and ordering interfaces;[99] and (iii) its pre-ordering systems provide reasonably prompt response times and are consistently available in a manner that affords competitors a meaningful opportunity to compete.[100]

34. The pre-ordering phase of OSS generally includes those activities that a carrier undertakes to gather and verify the information necessary to place an order.[101] Given that pre-ordering represents the first exposure that a prospective customer has to a competing carrier, it is

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[96] The Commission has consistently held that a BOC's OSS includes both mechanized systems and manual processes, and thus the OSS functions performed by BOC personnel have been part of the FCC's OSS functionality and commercial readiness reviews.

[97] *See SWBT Kansas/Oklahoma Order*, *id.* at 6287, para. 108.

[98] *See id.* at 6288, para. 111.

[99] In prior orders, the Commission has emphasized that providing pre-ordering functionality through an application-to-application interface is essential in enabling carriers to conduct real-time processing and to integrate pre-ordering and ordering functions in the same manner as the BOC. *SWBT Texas Order*, 15 FCC Rcd at 18426, para. 148.

[100] The Commission has held previously that an interface that provides responses in a prompt timeframe and is stable and reliable, is necessary for competing carriers to market their services and serve their customers as efficiently and at the same level of quality as a BOC serves its own customers. *See Bell Atlantic New York Order*, 15 FCC Rcd at 4025 and 4029, paras. 145 and 154.

[101] *See Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20660, para. 94 (referring to "pre-ordering and ordering" collectively as "the exchange of information between telecommunications carriers about current or proposed customer products and services or unbundled network elements or some combination thereof"). In prior orders, the Commission has identified the following five pre-order functions: (1) customer service record (CSR) information; (2) address validation; (3) telephone number information; (4) due date information; (5) services and feature information. *See Bell Atlantic New York Order*, 15 FCC Rcd at 4015, para. 132; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20660, para. 94; *BellSouth South Carolina Order*, 13 FCC Rcd at 619, para. 147.

critical that a competing carrier is able to accomplish pre-ordering activities in a manner no less efficient and responsive than the incumbent.[102] Most of the pre-ordering activities that must be undertaken by a competing carrier to order resale services and UNEs from the incumbent are analogous to the activities a BOC must accomplish to furnish service to its own customers. For these pre-ordering functions, a BOC must demonstrate that it provides requesting carriers access that enables them to perform pre-ordering functions in substantially the same time and manner as its retail operations.[103] For those pre-ordering functions that lack a retail analogue, a BOC must provide access that affords an efficient competitor a meaningful opportunity to compete.[104] In prior orders, the Commission has emphasized that providing pre-ordering functionality through an application-to-application interface is essential in enabling carriers to conduct real-time processing and to integrate pre-ordering and ordering functions in the same manner as the BOC.[105]

(i) Access to Loop Qualification Information

35. In accordance with the *UNE Remand Order*,[106] the Commission requires incumbent carriers to provide competitors with access to all of the same detailed information about the loop that is available to the incumbents,[107] and in the same time frame, so that a competing carrier can make an independent judgment at the pre-ordering stage about whether an end user loop is capable of supporting the advanced services equipment the competing carrier intends to install.[108] Under the *UNE Remand Order*, the relevant inquiry is not whether a BOC's retail arm accesses such underlying information but whether such information exists anywhere in

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[102] *Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129.

[103] *Id.*; *see also BellSouth South Carolina Order*, 13 FCC Rcd at 623-29 (concluding that failure to deploy an application-to-application interface denies competing carriers equivalent access to pre-ordering OSS functions).

[104] *Bell Atlantic New York Order*, 15 FCC Rcd at 4014, para. 129.

[105] *See id.* at 4014, para. 130; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20661-67, para. 105.

[106] *UNE Remand Order*, 15 FCC Rcd at 3885, para. 426 (determining "that the pre-ordering function includes access to loop qualification information").

[107] *See id.* At a minimum, a BOC must provide (1) the composition of the loop material, including both fiber and copper; (2) the existence, location and type of any electronic or other equipment on the loop, including but not limited to, digital loop carrier or other remote concentration devices, feeder/distribution interfaces, bridge taps, load coils, pair-gain devices, disturbers in the same or adjacent binder groups; (3) the loop length, including the length and location of each type of transmission media; (4) the wire gauge(s) of the loop; and (5) the electrical parameters of the loop, which may determine the suitability of the loop for various technologies. *Id.*

[108] As the Commission has explained in prior proceedings, because characteristics of a loop, such as its length and the presence of various impediments to digital transmission, can hinder certain advanced services technologies, carriers often seek to "pre-qualify" a loop by accessing basic loop makeup information that will assist carriers in ascertaining whether the loop, either with or without the removal of the impediments, can support a particular advanced service. *See id.*, 15 FCC Rcd at 4021, para. 140.

a BOC's back office and can be accessed by any of a BOC's personnel.[109] Moreover, a BOC may not "filter or digest" the underlying information and may not provide only information that is useful in provisioning of a particular type of xDSL that a BOC offers.[110] A BOC must also provide loop qualification information based, for example, on an individual address or zip code of the end users in a particular wire center, NXX code or on any other basis that the BOC provides such information to itself. Moreover, a BOC must also provide access for competing carriers to the loop qualifying information that the BOC can itself access manually or electronically. Finally, a BOC must provide access to loop qualification information to competitors within the same time intervals it is provided to the BOC's retail operations or its advanced services affiliate.[111] As the Commission determined in the *UNE Remand Order*, however, "to the extent such information is not normally provided to the incumbent's retail personnel, but can be obtained by contacting back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information."[112]

c. Ordering

36. Consistent with section 271(c)(2)(B)(ii), a BOC must demonstrate its ability to provide competing carriers with access to the OSS functions necessary for placing wholesale orders. For those functions of the ordering systems for which there is a retail analogue, a BOC must demonstrate, with performance data and other evidence, that it provides competing carriers with access to its OSS in substantially the same time and manner as it provides to its retail operations. For those ordering functions that lack a direct retail analogue, a BOC must demonstrate that its systems and performance allow an efficient carrier a meaningful opportunity to compete. As in prior section 271 orders, the Commission looks primarily at the applicant's ability to return order confirmation notices, order reject notices, order completion notices and jeopardies, and at its order flow-through rate.[113]

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[109] *UNE Remand Order*, 15 FCC Rcd at 3885-3887, paras. 427-431 (noting that "to the extent such information is not normally provided to the incumbent's retail personnel, but can be obtained by contacting back office personnel, it must be provided to requesting carriers within the same time frame that any incumbent personnel are able to obtain such information.").

[110] *See SWBT Kansas Oklahoma Order*, 16 FCC Rcd at 6292-93, para. 121.

[111] *Id.*

[112] *UNE Remand Order*, 15 FCC Rcd at 3885-3887, paras. 427-31.

[113] *See SWBT Texas Order*, 15 FCC Rcd at 18438, para. 170; *Bell Atlantic New York Order*, 15 FCC Rcd at 4035-39, paras. 163-66. The Commission examines (i) order flow-through rates, (ii) jeopardy notices and (iii) order completion notices using the "same time and manner" standard. The Commission examines order confirmation notices and order rejection notices using the "meaningful opportunity to compete" standard.

d. Provisioning

37. A BOC must provision competing carriers' orders for resale and UNE-P services in substantially the same time and manner as it provisions orders for its own retail customers.[114] Consistent with the approach in prior section 271 orders, the Commission examines a BOC's provisioning processes, as well as its performance with respect to provisioning timeliness (i.e., missed due dates and average installation intervals) and provisioning quality (i.e., service problems experienced at the provisioning stage).[115]

e. Maintenance and Repair

38. A competing carrier that provides service through resale or UNEs remains dependent upon the incumbent LEC for maintenance and repair. Thus, as part of its obligation to provide nondiscriminatory access to OSS functions, a BOC must provide requesting carriers with nondiscriminatory access to its maintenance and repair systems.[116] To the extent a BOC performs analogous maintenance and repair functions for its retail operations, it must provide competing carriers access that enables them to perform maintenance and repair functions "in substantially the same time and manner" as a BOC provides its retail customers.[117] Equivalent access ensures that competing carriers can assist customers experiencing service disruptions using the same network information and diagnostic tools that are available to BOC personnel.[118] Without equivalent access, a competing carrier would be placed at a significant competitive disadvantage, as its customer would perceive a problem with a BOC's network as a problem with the competing carrier's own network.[119]

f. Billing

39. A BOC must provide nondiscriminatory access to its billing functions, which is necessary to enable competing carriers to provide accurate and timely bills to their customers.[120] In making this determination, the Commission assesses a BOC's billing processes and systems,

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[114] *See Bell Atlantic New York*, 15 FCC Rcd at 4058, para. 196. For provisioning timeliness, the Commission looks to missed due dates and average installation intervals; for provisioning quality, the Commission looks to service problems experienced at the provisioning stage.

[115] *Id.*

[116] *Id.* at 4067, para. 212; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20692; *Ameritech Michigan Order*, 12 FCC Rcd at 20613, 20660-61.

[117] *Bell Atlantic New York Order*, 15 FCC Rcd at 4058, para. 196; *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20692-93.

[118] *Bell Atlantic New York Order*, 15 FCC Rcd at 4058, para. 196.

[119] *Id.*

[120] *See SWBT Texas Order*, 15 FCC Rcd at 18461, para. 210.

and its performance data. Consistent with prior section 271 orders, a BOC must demonstrate that it provides competing carriers with complete and accurate reports on the service usage of competing carriers' customers in substantially the same time and manner that a BOC provides such information to itself, and with wholesale bills in a manner that gives competing carriers a meaningful opportunity to compete.[121]

g. Change Management Process

40. Competing carriers need information about, and specifications for, an incumbent's systems and interfaces to develop and modify their systems and procedures to access the incumbent's OSS functions.[122] Thus, in order to demonstrate that it is providing nondiscriminatory access to its OSS, a BOC must first demonstrate that it "has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and . . . is adequately assisting competing carriers to understand how to implement and use all of the OSS functions available to them."[123] By showing that it adequately assists competing carriers to use available OSS functions, a BOC provides evidence that it offers an efficient competitor a meaningful opportunity to compete.[124] As part of this demonstration, the Commission will give substantial consideration to the existence of an adequate change management process and evidence that the BOC has adhered to this process over time.[125]

41. The change management process refers to the methods and procedures that the BOC employs to communicate with competing carriers regarding the performance of, and changes in, the BOC's OSS.[126] Such changes may include updates to existing functions that impact competing carrier interface(s) upon a BOC's release of new interface software; technology changes that require competing carriers to meet new technical requirements upon a BOC's software release date; additional functionality changes that may be used at the competing carrier's option, on or after a BOC's release date for new interface software; and changes that may be mandated by regulatory authorities.[127] Without a change management process in place, a BOC can impose substantial costs on competing carriers simply by making changes to its systems and interfaces without providing adequate testing opportunities and accurate and timely

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[121] *See id.*; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6316-17, at para. 163.

[122] *Bell Atlantic New York Order*, 15 FCC Rcd at 3999-4000, para. 102; *First BellSouth Louisiana Order*, 13 FCC Rcd at 6279 n.197; *BellSouth South Carolina Order*, 13 FCC Rcd at 625 n.467; *Ameritech Michigan Order*, 12 FCC Rcd at 20617 n.334; *Local Competition Second Report and Order*, 11 FCC Rcd at 19742.

[123] *Bell Atlantic New York Order*, 15 FCC Rcd at 3999, para. 102.

[124] *Id.* at 3999-4000, para. 102

[125] *Id.* at 4000, para. 102.

[126] *Id.* at 4000, para. 103.

[127] *Id.*

notice and documentation of the changes.[128] Change management problems can impair a competing carrier's ability to obtain nondiscriminatory access to UNEs, and hence a BOC's compliance with section 271(2)(B)(ii).[129]

42. In evaluating whether a BOC's change management plan affords an efficient competitor a meaningful opportunity to compete, the Commission first assesses whether the plan is adequate. In making this determination, it assesses whether the evidence demonstrates: (1) that information relating to the change management process is clearly organized and readily accessible to competing carriers;[130] (2) that competing carriers had substantial input in the design and continued operation of the change management process;[131] (3) that the change management plan defines a procedure for the timely resolution of change management disputes;[132] (4) the availability of a stable testing environment that mirrors production;[133] and (5) the efficacy of the documentation the BOC makes available for the purpose of building an electronic gateway.[134] After determining whether the BOC's change management plan is adequate, the Commission evaluates whether the BOC has demonstrated a pattern of compliance with this plan.[135]

2. UNE Combinations

43. In order to comply with the requirements of checklist item 2, a BOC must show that it is offering "[n]ondiscriminatory access to network elements in accordance with the requirements of section 251(c)(3)."[136] Section 251(c)(3) requires an incumbent LEC to "provide, to any requesting telecommunications carrier . . . nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms and conditions that are just, reasonable, and nondiscriminatory."[137] Section 251(c)(3) of the Act also requires incumbent

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[128] *Id.* at 4000, para. 103.

[129] *Id.*

[130] *Id.* at 4002, para. 107.

[131] *Id.* at 4000, para. 104.

[132] *Id.* at 4002, para. 108.

[133] *Id.* at 4002-03, paras. 109-10.

[134] *Id.* at 4003-04, para. 110. In the *Bell Atlantic New York Order*, the Commission used these factors in determining whether Bell Atlantic had an adequate change management process in place. *See id.* at 4004, para. 111. The Commission left open the possibility, however, that a change management plan different from the one implemented by Bell Atlantic may be sufficient to demonstrate compliance with the requirements of section 271. *Id.*

[135] *Id.* at 3999, para. 101, 4004-05, para. 112.

[136] 47 U.S.C. § 271(c)(2)(B)(ii).

[137] *Id.* § 251(c)(3).

LECs to provide UNEs in a manner that allows requesting carriers to combine such elements in order to provide a telecommunications service.[138]

44. In the *Ameritech Michigan Order*, the Commission emphasized that the ability of requesting carriers to use UNEs, as well as combinations of UNEs, is integral to achieving Congress' objective of promoting competition in local telecommunications markets.[139] Using combinations of UNEs provides a competitor with the incentive and ability to package and market services in ways that differ from the BOCs' existing service offerings in order to compete in the local telecommunications market.[140] Moreover, combining the incumbent's UNEs with their own facilities encourages facilities-based competition and allows competing providers to provide a wide array of competitive choices.[141] Because the use of combinations of UNEs is an important strategy for entry into the local telecommunications market, as well as an obligation under the requirements of section 271, the Commission examines section 271 applications to determine whether competitive carriers are able to combine network elements as required by the Act and the Commission's regulations.[142]

3. Pricing of Network Elements

45. Checklist item 2 of section 271 states that a BOC must provide "nondiscriminatory access to network elements in accordance with sections 251(c)(3) and 252(d)(1)" of the Act.[143] Section 251(c)(3) requires incumbent LECs to provide "nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory."[144] Section 252(d)(1) requires that a state commission's determination of the just and reasonable rates for network elements shall be based on the cost of providing the network elements, shall be

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[138] *Id.*

[139] *Ameritech Michigan Order*, 12 FCC Rcd at 20718-19; *BellSouth South Carolina Order*, 13 FCC Rcd at 646.

[140] *BellSouth South Carolina Order*, 13 FCC Rcd at 646; *see also Local Competition First Report and Order*, 11 FCC Rcd at 15666-68.

[141] *Bell Atlantic New York Order*, 15 FCC Rcd at 4077-78, para. 230.

[142] *Id. In Iowa Utilities Board v. FCC*, 219 F.3d 744 (8th Cir. 2000), the Eighth Circuit had vacated the Commission's "additional combinations" rules (47 C.F.R. Sections 51-315(c)-(f)). However, on May 13, 2002; the Supreme Court reversed the Eighth Circuit with respect to those rules and remanded the case to the court of appeals "for further proceedings consistent with this opinion." *Verizon Communications Inc. v. FCC*, 122 S.Ct. 1646, 1687. *See also id.* at 1683-87. In response, the Eighth Circuit, on August 21, 2002, vacated its prior opinion insofar as it had vacated the pertinent combinations rules and denied the petitions for review with respect to those rules. *Iowa Utilities Board v. FCC*, 8th Circuit Nos. 96-3321, *et al.*, Judgment, filed August 21, 2002.).

[143] 47 U.S.C. § 271(c)(2)(B)(ii).

[144] *Id.* § 251(c)(3).

nondiscriminatory, and may include a reasonable profit.[145] Pursuant to this statutory mandate, the Commission has determined that prices for UNEs must be based on the total element long run incremental cost (TELRIC) of providing those elements.[146] The Commission also promulgated rule 51.315(b), which prohibits incumbent LECs from separating already combined elements before providing them to competing carriers, except on request.[147] The Commission has previously held that it will not conduct a *de novo* review of a state's pricing determinations and will reject an application only if "basic TELRIC principles are violated or the state commission makes clear errors in factual findings on matters so substantial that the end result falls outside the range that the reasonable application of TELRIC principles would produce."[148]

46. Although the U.S. Court of Appeals for the Eighth Circuit stayed the Commission's pricing rules in 1996,[149] the Supreme Court restored the Commission's pricing authority on January 25, 1999, and remanded to the Eighth Circuit for consideration of the merits of the challenged rules.[150] On remand from the Supreme Court, the Eighth Circuit concluded that while TELRIC is an acceptable method for determining costs, certain specific requirements contained within the Commission's pricing rules were contrary to Congressional intent.[151] The Eighth Circuit stayed the issuance of its mandate pending review by the Supreme Court.[152] The

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[145] 47 U.S.C. § 252(d)(1).

[146] *Local Competition First Report and Order*, 11 FCC Rcd at 15844-46, paras. 674-79; 47 C.F.R. §§ 51.501 *et seq.*; *see also Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98*, Third Report and Order and Fourth Report and Order, 14 FCC Rcd 20912, 20974, para. 135 (*Line Sharing Order*) (concluding that states should set the prices for line sharing as a new network element in the same manner as the state sets prices for other UNEs).

[147] *See* 47 C.F.R. § 51.315(b).

[148] *Bell Atlantic New York Order*, 15 FCC Rcd at 4084, para. 244; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6266, para. 59.

[149] *Iowa Utils. Bd. v. FCC*, 120 F.3d 753, 800, 804, 805-06 (8th Cir. 1997).

[150] *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999). In reaching its decision, the Court acknowledged that section 201(b) "explicitly grants the FCC jurisdiction to make rules governing matters to which the 1996 Act applies." *Id.* at 380. Furthermore, the Court determined that section 251(d) also provides evidence of an express jurisdictional grant by requiring that "the Commission [shall] complete all actions necessary to establish regulations to implement the requirements of this section." *Id.* at 382. The Court also held that the pricing provisions implemented under the Commission's rulemaking authority do not inhibit the establishment of rates by the states. The Court concluded that the Commission has jurisdiction to design a pricing methodology to facilitate local competition under the 1996 Act, including pricing for interconnection and unbundled access, as "it is the States that will apply those standards and implement that methodology, determining the concrete result." *Id.*

[151] *Iowa Utils. Bd. v. FCC*, 219 F.3d 744 (8th Cir. 2000), *petition for cert. granted sub nom. Verizon Communications v. FCC*, 121 S. Ct. 877 (2001).

[152] *Iowa Utils. Bd. v. FCC*, No. 96-3321 *et al.* (8th Cir. Sept. 25, 2000).

Supreme Court, on May 13, 2002, upheld the Commission's forward-looking pricing methodology in determining costs of UNEs and "reverse[d] the Eighth Circuit's judgment insofar as it invalidated TELRIC as a method for setting rates under the Act."[153] Accordingly, the Commission's pricing rules remain in effect.

C. Checklist Item 3 – Poles, Ducts, Conduits and Rights of Way

47. Section 271(c)(2)(B)(iii) requires BOCs to provide "[n]ondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by the [BOC] at just and reasonable rates in accordance with the requirements of section 224."[154] Section 224(f)(1) states that "[a] utility shall provide a cable television system or any telecommunications carrier with nondiscriminatory access to any pole, duct, conduit, or right-of-way owned or controlled by it."[155] Notwithstanding this requirement, section 224(f)(2) permits a utility providing electric service to deny access to its poles, ducts, conduits, and rights-of-way, on a nondiscriminatory basis, "where there is insufficient capacity and for reasons of safety, reliability and generally applicable engineering purposes."[156] Section 224 also contains two separate provisions governing the maximum rates that a utility may charge for "pole attachments."[157] Section 224(b)(1) states that the Commission shall regulate the rates, terms, and conditions governing pole attachments to ensure that they are "just and reasonable."[158] Notwithstanding this general grant of authority, section 224(c)(1) states that "[n]othing in [section 224] shall be construed to

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[153] *Verizon v. FCC*, 122 S.Ct. at 1679. On August 21, 2002, the Eighth Circuit implemented the Supreme Court's mandate with respect to the Commission's TELRIC pricing rule by vacating its prior opinion insofar as it had invalidated that rule and by denying the petitions for review of that rule. *Iowa Utilities Board v. FCC*, 8th Circuit Nos. 96-3321, *et al.*, *Judgment*, filed August 21, 2002.

[154] 47 U.S.C. § 271(c)(2)(B)(iii). As originally enacted, section 224 was intended to address obstacles that cable operators encountered in obtaining access to poles, ducts, conduits, or rights-of-way owned or controlled by utilities. The 1996 Act amended section 224 in several important respects to ensure that telecommunications carriers as well as cable operators have access to poles, ducts, conduits, or rights-of-way owned or controlled by utility companies, including LECs. *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20706, n.574.

[155] 47 U.S.C. § 224(f)(1). Section 224(a)(1) defines "utility" to include any entity, including a LEC, that controls "poles, ducts, conduits, or rights-of-way used, in whole or in part, for any wire communications." 47 U.S.C. § 224(a)(1).

[156] 47 U.S.C. § 224(f)(2). In the *Local Competition First Report and Order*, the Commission concluded that, although the statutory exception enunciated in section 224(f)(2) appears to be limited to utilities providing electrical service, LECs should also be permitted to deny access to their poles, ducts, conduits, and rights-of-way because of insufficient capacity and for reasons of safety, reliability and generally applicable engineering purposes, provided the assessment of such factors is done in a nondiscriminatory manner. *Local Competition First Report and Order*, 11 FCC Rcd at 16080-81, paras. 1175-77.

[157] Section 224(a)(4) defines "pole attachment" as "any attachment by a cable television system or provider of telecommunications service to a pole, duct, conduit, or right-of-way owned or controlled by a utility." 47 U.S.C. § 224(a)(4).

[158] 47 U.S.C. § 224(b)(1).

apply to, or to give the Commission jurisdiction with respect to the rates, terms, and conditions, or access to poles, ducts, conduits and rights-of-way as provided in [section 224(f)], for pole attachments in any case where such matters are regulated by a State."[159] As of 1992, nineteen states, including Connecticut, had certified to the Commission that they regulated the rates, terms, and conditions for pole attachments.[160]

D. Checklist Item 4 – Unbundled Local Loops

48. Section 271(c)(2)(B)(iv) of the Act, item 4 of the competitive checklist, requires that a BOC provide "[l]ocal loop transmission from the central office to the customer's premises, unbundled from local switching or other services."[161] The Commission has defined the loop as a transmission facility between a distribution frame, or its equivalent, in an incumbent LEC central office, and the demarcation point at the customer premises. This definition includes different types of loops, including two-wire and four-wire analog voice-grade loops, and two-wire and four-wire loops that are conditioned to transmit the digital signals needed to provide service such as ISDN, ADSL, HDSL, and DS1-level signals.[162]

49. In order to establish that it is "providing" unbundled local loops in compliance with checklist item 4, a BOC must demonstrate that it has a concrete and specific legal obligation to furnish loops and that it is currently doing so in the quantities that competitors demand and at an acceptable level of quality. A BOC must also demonstrate that it provides nondiscriminatory access to unbundled loops.[163] Specifically, the BOC must provide access to any functionality of the loop requested by a competing carrier unless it is not technically feasible to condition the loop facility to support the particular functionality requested. In order to provide the requested loop functionality, such as the ability to deliver xDSL services, the BOC may be required to take affirmative steps to condition existing loop facilities to enable competing carriers to provide services not currently provided over the facilities. The BOC must provide

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[159] *Id.* § 224(c)(1). The 1996 Act extended the Commission's authority to include not just rates, terms, and conditions, but also the authority to regulate nondiscriminatory access to poles, ducts, conduits, and rights-of-way. *Local Competition First Report and Order*, 11 FCC Rcd at 16104, para. 1232; 47 U.S.C. § 224(f). Absent state regulation of terms and conditions of nondiscriminatory attachment access, the Commission retains jurisdiction. *Local Competition First Report and Order*, 11 FCC Rcd at 16104, para. 1232; 47 U.S.C. § 224(c)(1); *see also Bell Atlantic New York Order*, 15 FCC Rcd at 4093, para. 264.

[160] *See States That Have Certified That They Regulate Pole Attachments*, Public Notice, 7 FCC Rcd 1498 (1992); 47 U.S.C. § 224(f).

[161] 47 U.S.C. § 271(c)(2)(B)(iv).

[162] *Local Competition First Report and Order*, 11 FCC Rcd at 15691, para. 380; *UNE Remand Order*, 15 FCC Rcd at 3772-73, paras. 166-67, n.301 (retaining definition of the local loop from the *Local Competition First Report and Order*, but replacing the phrase "network interconnection device" with "demarcation point," and making explicit that dark fiber and loop conditioning are among the features, functions and capabilities of the loop).

[163] *SWBT Texas Order*, 15 FCC Rcd at 18481-81, para. 248; *Bell Atlantic New York Order*, 15 FCC Rcd at 4095, para. 269; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20637, para. 185.

competitors with access to unbundled loops regardless of whether the BOC uses digital loop carrier (DLC) technology or similar remote concentration devices for the particular loops sought by the competitor.

50. On December 9, 1999, the Commission released the *Line Sharing Order*, which introduced new rules requiring BOCs to offer requesting carriers unbundled access to the high-frequency portion of local loops (HFPL).[164] HFPL is defined as "the frequency above the voiceband on a copper loop facility that is being used to carry traditional POTS analog circuit-switched voiceband transmissions." This definition applies whether a BOC's voice customers are served by cooper or by digital loop carrier equipment. Competing carriers should have access to the HFPL at either a central office or at a remote terminal. However, the HFPL network element is *only* available on a copper loop facility.[165]

51. To determine whether a BOC makes line sharing available consistent with Commission rules set out in the *Line Sharing Order*, the Commission examines categories of performance measurements identified in the *Bell Atlantic New York* and *SWBT Texas Orders*. Specifically, a successful BOC applicant could provide evidence of BOC-caused missed installation due dates, average installation intervals, trouble reports within 30 days of installation, mean time to repair, trouble report rates, and repeat trouble report rates. In addition, a successful BOC applicant should provide evidence that its central offices are operationally ready to handle commercial volumes of line sharing and that it provides competing carriers with nondiscriminatory access to the pre-ordering and ordering OSS functions associated with the provision of line shared loops, including access to loop qualification information and databases.

52. Section 271(c)(2)(B)(iv) also requires that a BOC demonstrate that it makes line splitting available to competing carriers so that competing carriers may provide voice and data service over a single loop.[166] In addition, a BOC must demonstrate that a competing carrier, either alone or in conjunction with another carrier, is able to replace an existing UNE-P configuration used to provide voice service with an arrangement that enables it to provide voice and data service to a customer. To make such a showing, a BOC must show that it has a legal obligation to provide line splitting through rates, terms, and conditions in interconnection agreements and that it offers competing carriers the ability to order an unbundled xDSL-capable

[164] *See Line Sharing Order*, 14 FCC Rcd at 20924-27, paras. 20-27; *see also* n.63 at C-12 *supra*.

[165] *See Deployment of Wireline Services offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order on Reconsideration in CC Docket No. 98-147, Fourth Report and Order on Reconsideration in CC Docket No. 96-98, 16 FCC Rcd 2101, 2106-07, para. 10 (2001).

[166] *See generally SWBT Texas Order*, 15 FCC Rcd at 18515-17, paras. 323-329 (describing line splitting); 47 C.F.R. § 51.703(c) (requiring that incumbent LECs provide competing carriers with access to unbundled loops in a manner that allows competing carriers "to provide any telecommunications service that can be offered by means of that network element").

loop terminated to a collocated splitter and DSLAM equipment, and combine it with unbundled switching and shared transport.[167]

E. Checklist Item 5 – Unbundled Local Transport

53. Section 271(c)(2)(B)(v) of the competitive checklist requires a BOC to provide "[l]ocal transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services."[168] The Commission has required that BOCs provide both dedicated and shared transport to requesting carriers.[169] Dedicated transport consists of BOC transmission facilities dedicated to a particular customer or carrier that provide telecommunications between wire centers owned by BOCs or requesting telecommunications carriers, or between switches owned by BOCs or requesting telecommunications carriers.[170] Shared transport consists of transmission facilities shared by more than one carrier, including the BOC, between end office switches, between end office switches and tandem switches, and between tandem switches, in the BOC's network.[171]

F. Checklist Item 6 – Unbundled Local Switching

54. Section 271(c)(2)(B)(vi) of the 1996 Act requires a BOC to provide "[l]ocal switching unbundled from transport, local loop transmission, or other services."[172] In the *Second*

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[167] *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6348, para. 220.

[168] 47 U.S.C. § 271(c)(2)(B)(v).

[169] *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20719, para. 201.

[170] *Id.* A BOC has the following obligations with respect to dedicated transport: (a) provide unbundled access to dedicated transmission facilities between BOC central offices or between such offices and serving wire centers (SWCs); between SWCs and interexchange carriers points of presence (POPs); between tandem switches and SWCs, end offices or tandems of the BOC, and the wire centers of BOCs and requesting carriers; (b) provide all technically feasible transmission capabilities such as DS1, DS3, and Optical Carrier levels that the competing carrier could use to provide telecommunications; (c) not limit the facilities to which dedicated interoffice transport facilities are connected, provided such interconnections are technically feasible, or restrict the use of unbundled transport facilities; and (d) to the extent technically feasible, provide requesting carriers with access to digital cross-connect system functionality in the same manner that the BOC offers such capabilities to interexchange carriers that purchase transport services. *Id.* at 20719.

[171] *Id.* at 20719, n.650. The Commission also found that a BOC has the following obligations with respect to shared transport: (a) provide shared transport in a way that enables the traffic of requesting carriers to be carried on the same transport facilities that a BOC uses for its own traffic; (b) provide shared transport transmission facilities between end office switches, between its end office and tandem switches, and between tandem switches in its network; (c) permit requesting carriers that purchase unbundled shared transport and unbundled switching to use the same routing table that is resident in the BOC's switch; and (d) permit requesting carriers to use shared (or dedicated) transport as an unbundled element to carry originating access traffic from, and terminating traffic to, customers to whom the requesting carrier is also providing local exchange service. *Id.* at 20720, n.652.

[172] 47 U.S.C. § 271(c)(2)(B)(vi); *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20722. A switch connects end user lines to other end user lines, and connects end user lines to trunks used for transporting a call to (continued....)

BellSouth Louisiana Order, the Commission required BellSouth to provide unbundled local switching that included line-side and trunk-side facilities, plus the features, functions, and capabilities of the switch.[173] The features, functions, and capabilities of the switch include the basic switching function as well as the same basic capabilities that are available to the incumbent LEC's customers.[174] Additionally, local switching includes all vertical features that the switch is capable of providing, as well as any technically feasible customized routing functions.[175]

55. Moreover, in the *Second BellSouth Louisiana Order*, the Commission required BellSouth to permit competing carriers to purchase UNEs, including unbundled switching, in a manner that permits a competing carrier to offer, and bill for, exchange access and the termination of local traffic.[176] The Commission also stated that measuring daily customer usage for billing purposes requires essentially the same OSS functions for both competing carriers and incumbent LECs, and that a BOC must demonstrate that it is providing equivalent access to billing information.[177] Therefore, the ability of a BOC to provide billing information necessary for a competitive LEC to bill for exchange access and termination of local traffic is an aspect of unbundled local switching.[178] Thus, there is an overlap between the provision of unbundled local switching and the provision of the OSS billing function.[179]

56. To comply with the requirements of unbundled local switching, a BOC must also make available trunk ports on a shared basis and routing tables resident in the BOC's switch, as necessary to provide access to shared transport functionality.[180] In addition, a BOC may not limit the ability of competitors to use unbundled local switching to provide exchange access by requiring competing carriers to purchase a dedicated trunk from an interexchange carrier's point of presence to a dedicated trunk port on the local switch.[181]

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another central office or to a long-distance carrier. Switches can also provide end users with "vertical features" such as call waiting, call forwarding, and caller ID, and can direct a call to a specific trunk, such as to a competing carrier's operator services.

[173] *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20722, para. 207.

[174] *Id.*

[175] *Id.* at 20722-23, para. 207.

[176] *Id.* at 20723, para. 208.

[177] *Id.* at 20723, para. 208 (citing *Ameritech Michigan Order*, 12 FCC Rcd at 20619, para. 140).

[178] *Id.*

[179] *Id.*

[180] *Id.* at 20723, para. 209 (citing the *Ameritech Michigan Order*, 12 FCC Rcd at 20705, para. 306).

[181] *Id.* (citing the *Ameritech Michigan Order*, 12 FCC Rcd at 20714-15, paras. 324-25).

G. Checklist Item 7 – 911/E911 Access and Directory Assistance/Operator Services

57. Section 271(c)(2)(B)(vii) of the Act requires a BOC to provide "[n]ondiscriminatory access to – (I) 911 and E911 services."[182] In the *Ameritech Michigan Order*, the Commission found that "section 271 requires a BOC to provide competitors access to its 911 and E911 services in the same manner that a BOC obtains such access, *i.e.*, at parity."[183] Specifically, the Commission found that a BOC "must maintain the 911 database entries for competing LECs with the same accuracy and reliability that it maintains the database entries for its own customers."[184] For facilities-based carriers, the BOC must provide "unbundled access to [its] 911 database and 911 interconnection, including the provision of dedicated trunks from the requesting carrier's switching facilities to the 911 control office at parity with what [the BOC] provides to itself."[185] Section 271(c)(2)(B)(vii)(II) and section 271(c)(2)(B)(vii)(III) require a BOC to provide nondiscriminatory access to "directory assistance services to allow the other carrier's customers to obtain telephone numbers" and "operator call completion services," respectively.[186] Section 251(b)(3) of the Act imposes on each LEC "the duty to permit all [competing providers of telephone exchange service and telephone toll service] to have nondiscriminatory access to . . . operator services, directory assistance, and directory listing, with no unreasonable dialing delays."[187] The Commission concluded in the *Second BellSouth Louisiana Order* that a BOC must be in compliance with the regulations implementing section 251(b)(3) to satisfy the requirements of sections 271(c)(2)(B)(vii)(II) and 271(c)(2)(B)(vii)(III).[188] In the *Local Competition Second Report and Order*, the Commission

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[182] 47 U.S.C. § 271(c)(2)(B)(vii). 911 and E911 services transmit calls from end users to emergency personnel. It is critical that a BOC provide competing carriers with accurate and nondiscriminatory access to 911/E911 services so that these carriers' customers are able to reach emergency assistance. Customers use directory assistance and operator services to obtain customer listing information and other call completion services.

[183] *Ameritech Michigan Order*, 12 FCC Rcd at 20679, para. 256.

[184] *Id.*

[185] *Id.*

[186] 47 U.S.C. §§ 271(c)(2)(B)(vii)(II), (III).

[187] *Id.* § 251(b)(3). The Commission implemented section 251(b)(3) in the *Local Competition Second Report and Order*. 47 C.F.R. § 51.217; *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392 (1996) (*Local Competition Second Report and Order*) *vacated in part sub nom. People of the State of California v. FCC*, 124 F.3d 934 (8th Cir. 1997), *overruled in part, AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999); *see also Implementation of the Telecommunications Act of 1996: Provision of Directory Listings Information under the Telecommunications Act of 1934*, Notice of Proposed Rulemaking, 14 FCC Rcd 15550 (1999) (*Directory Listings Information NPRM*).

[188] While both sections 251(b)(3) and 271(c)(2)(B)(vii)(II) refer to nondiscriminatory access to "directory assistance," section 251(b)(3) refers to nondiscriminatory access to "operator services," while section 271(c)(2)(B)(vii)(III) refers to nondiscriminatory access to "operator call completion services." 47 U.S.C. (continued....)

held that the phrase "nondiscriminatory access to directory assistance and directory listings" means that "the customers of all telecommunications service providers should be able to access each LEC's directory assistance service and obtain a directory listing on a nondiscriminatory basis, notwithstanding: (1) the identity of a requesting customer's local telephone service provider; or (2) the identity of the telephone service provider for a customer whose directory listing is requested."[189] The Commission concluded that nondiscriminatory access to the dialing patterns of 4-1-1 and 5-5-5-1-2-1-2 to access directory assistance were technically feasible, and would continue.[190] The Commission specifically held that the phrase "nondiscriminatory access to operator services" means that "a telephone service customer, regardless of the identity of his or her local telephone service provider, must be able to connect to a local operator by dialing '0,' or '0 plus' the desired telephone number."[191]

58. Competing carriers may provide operator services and directory assistance by reselling the BOC's services, outsourcing service provision to a third-party provider, or using their own personnel and facilities. The Commission's rules require BOCs to permit competitive

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§§ 251(b)(3), 271(c)(2)(B)(vii)(III). The term "operator call completion services" is not defined in the Act, nor has the Commission previously defined the term. However, for section 251(b)(3) purposes, the term "operator services" was defined as meaning "any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call." *Local Competition Second Report and Order*, 11 FCC Rcd at 19448, para. 110. In the same order the Commission concluded that busy line verification, emergency interrupt, and operator-assisted directory assistance are forms of "operator services," because they assist customers in arranging for the billing or completion (or both) of a telephone call. *Id.* at 19449, para. 111. All of these services may be needed or used to place a call. For example, if a customer tries to direct dial a telephone number and constantly receives a busy signal, the customer may contact the operator to attempt to complete the call. Since billing is a necessary part of call completion, and busy line verification, emergency interrupt, and operator-assisted directory assistance can all be used when an operator completes a call, the Commission concluded in the *Second BellSouth Louisiana Order* that for checklist compliance purposes, "operator call completion services" is a subset of or equivalent to "operator service." *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20740, n.763. As a result, the Commission uses the nondiscriminatory standards established for operator services to determine whether nondiscriminatory access is provided.

[189] 47 C.F.R. § 51.217(c)(3); *Local Competition Second Report and Order*, 11 FCC Rcd at 19456-58, paras. 130-35. The *Local Competition Second Report and Order's* interpretation of section 251(b)(3) is limited "to access to each LEC's directory assistance service." *Id.* at 19456, para. 135. However, section 271(c)(2)(B)(vii) is not limited to the LEC's systems but requires "nondiscriminatory access to . . . directory assistance to allow the other carrier's customers to obtain telephone numbers." 47 U.S.C. § 271(c)(2)(B)(vii). Combined with the Commission's conclusion that "incumbent LECs must unbundle the facilities and functionalities providing operator services and directory assistance from resold services and other unbundled network elements to the extent technically feasible," *Local Competition First Report and Order*, 11 FCC Rcd at 15772-73, paras. 535-37, section 271(c)(2)(B)(vii)'s requirement should be understood to require the BOCs to provide nondiscriminatory access to the directory assistance service provider selected by the customer's local service provider, regardless of whether the competitor; provides such services itself; selects the BOC to provide such services; or chooses a third party to provide such services. *See Directory Listings Information NPRM.*

[190] *Local Competition Second Report and Order*, 11 FCC Rcd at 19464, para. 151.

[191] *Id.* at 19464, para. 151.

LECs wishing to resell the BOC's operator services and directory assistance to request the BOC to brand their calls.[192] Competing carriers wishing to provide operator services or directory assistance using their own or a third party provider's facilities and personnel must be able to obtain directory listings either by obtaining directory information on a "read only" or "per dip" basis from the BOC's directory assistance database, or by creating their own directory assistance database by obtaining the subscriber listing information in the BOC's database.[193] Although the Commission originally concluded that BOCs must provide directory assistance and operator services on an unbundled basis pursuant to sections 251 and 252, the Commission removed directory assistance and operator services from the list of required UNEs in the *UNE Remand Order*.[194] Checklist item obligations that do not fall within a BOC's obligations under section 251(c)(3) are not subject to the requirements of sections 251 and 252 that rates be based on forward-looking economic costs.[195] Checklist item obligations that do not fall within a BOC's UNE obligations, however, still must be provided in accordance with sections 201(b) and 202(a), which require that rates and conditions be just and reasonable, and not unreasonably discriminatory.[196]

H. Checklist Item 8 – White Pages Directory Listings

59. Section 271(c)(2)(B)(viii) of the 1996 Act requires a BOC to provide "[w]hite pages directory listings for customers of the other carrier's telephone exchange service."[197] Section 251(b)(3) of the 1996 Act obligates all LECs to permit competitive providers of

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[192] 47 C.F.R. § 51.217(d); *Local Competition Second Report and Order*, 11 FCC Rcd at 19463, para. 148. For example, when customers call the operator or calls for directory assistance, they typically hear a message, such as "thank you for using XYZ Telephone Company." Competing carriers may use the BOC's brand, request the BOC to brand the call with the competitive carriers name or request that the BOC not brand the call at all. 47 C.F.R. § 51.217(d).

[193] 47 C.F.R. § 51.217(C)(3)(ii); *Local Competition Second Report and Order*, 11 FCC Rcd at 19460-61, paras. 141-44; *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Provision of Directory Listing Information Under the Communications Act of 1934, as amended*, Third Report and Order, Second Order on Reconsideration, and Notice of Proposed Rulemaking, 14 FCC Rcd 15550, 15630-31, paras. 152-54 (1999); *Provision of Directory Listing Information Under the Communications Act of 1934, as amended*, First Report and Order, 16 FCC Rcd 2736, 2743-51 (2001).

[194] *UNE Remand Order*, 15 FCC Rcd at 3891-92, paras. 441-42.

[195] *UNE Remand Order*, 15 FCC Rcd at 3905, para. 470; *see generally* 47 U.S.C. §§ 251-52; *see also* 47 U.S.C. § 252(d)(1)(A)(i) (requiring UNE rates to be "based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of providing the ... network element").

[196] *UNE Remand Order*, 15 FCC Rcd at 3905-06, paras. 470-73; *see also* 47 U.S.C. §§ 201(b), 202(a).

[197] 47 U.S.C. § 271(c)(2)(B)(viii).

telephone exchange service and telephone toll service to have nondiscriminatory access to directory listing.[198]

60. In the *Second BellSouth Louisiana Order*, the Commission concluded that, "consistent with the Commission's interpretation of 'directory listing' as used in section 251(b)(3), the term 'white pages' in section 271(c)(2)(B)(viii) refers to the local alphabetical directory that includes the residential and business listings of the customers of the local exchange provider."[199] The Commission further concluded, "the term 'directory listing,' as used in this section, includes, at a minimum, the subscriber's name, address, telephone number, or any combination thereof."[200] The Commission's *Second BellSouth Louisiana Order* also held that a BOC satisfies the requirements of checklist item 8 by demonstrating that it: (1) provided nondiscriminatory appearance and integration of white page directory listings to competitive LECs' customers; and (2) provided white page listings for competitors' customers with the same accuracy and reliability that it provides its own customers.[201]

I. Checklist Item 9 – Numbering Administration

61. Section 271(c)(2)(B)(ix) of the 1996 Act requires a BOC to provide "nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers," until "the date by which telecommunications numbering administration, guidelines, plan, or rules are established."[202] The checklist mandates compliance with "such guidelines, plan, or rules" after they have been established.[203] A BOC must demonstrate that it adheres to industry numbering administration guidelines and Commission rules.[204]

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[198] *Id.* § 251(b)(3).

[199] *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20748, para. 255.

[200] *Id.* In the *Second BellSouth Louisiana Order*, the Commission stated that the definition of "directory listing" was synonymous with the definition of "subscriber list information." *Id.* at 20747 (citing the *Local Competition Second Report and Order*, 11 FCC Rcd at 19458-59). However, the Commission's decision in a later proceeding obviates this comparison, and supports the definition of directory listing delineated above. *See Implementation of the Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, CC Docket No. 96-115, Third Report and Order; *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Second Order on Reconsideration; *Provision of Directory Listing Information under the Telecommunications Act of 1934, As Amended*, CC Docket No. 99-273, FCC 99-227, Notice of Proposed Rulemaking, para. 160 (rel. Sept. 9, 1999).

[201] *Id.*

[202] 47 U.S.C. § 271(c)(2)(B)(ix).

[203] *Id.*

[204] *See Second Bell South Louisiana Order*, 13 FCC Rcd at 20752; *see also Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000); *Numbering Resource* (continued....)

J. Checklist Item 10 – Databases and Associated Signaling

62. Section 271(c)(2)(B)(x) of the 1996 Act requires a BOC to provide "nondiscriminatory access to databases and associated signaling necessary for call routing and completion."[205] In the *Second BellSouth Louisiana Order*, the Commission required BellSouth to demonstrate that it provided requesting carriers with nondiscriminatory access to: "(1) signaling networks, including signaling links and signaling transfer points; (2) certain call-related databases necessary for call routing and completion, or in the alternative, a means of physical access to the signaling transfer point linked to the unbundled database; and (3) Service Management Systems (SMS)."[206] The Commission also required BellSouth to design, create, test, and deploy Advanced Intelligent Network (AIN) based services at the SMS through a Service Creation Environment (SCE).[207] In the *Local Competition First Report and Order*, the Commission defined call-related databases as databases, other than operations support systems, that are used in signaling networks for billing and collection or the transmission, routing, or other provision of telecommunications service.[208] At that time the Commission required incumbent LECs to provide unbundled access to their call-related databases, including but not limited to: the Line Information Database (LIDB), the Toll Free Calling database, the Local Number Portability database, and Advanced Intelligent Network databases.[209] In the *UNE Remand Order*, the Commission clarified that the definition of call-related databases "includes, but is not limited to, the calling name (CNAM) database, as well as the 911 and E911 databases."[210]

K. Checklist Item 11 – Number Portability

63. Section 271(c)(2)(B) of the 1996 Act requires a BOC to comply with the number portability regulations adopted by the Commission pursuant to section 251.[211] Section 251(b)(2) requires all LECs "to provide, to the extent technically feasible, number portability in

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Optimization, Second Report and Order, Order on Reconsideration in CC Docket No. 99-200 and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, CC Docket Nos. 96-98; 99-200 (rel. Dec. 29, 2000); *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200 (rel. Dec. 28, 2001).

[205] 47 U.S.C. § 271(c)(2)(B)(x).

[206] *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20753, para. 267.

[207] *Id.* at 20755-56, para. 272.

[208] *Local Competition First Report and Order*, 11 FCC Rcd at 15741, n.1126; *UNE Remand Order*, 15 FCC Rcd at 3875, para. 403.

[209] *Id.* at 15741-42, para. 484.

[210] *UNE Remand Order*, 15 FCC Rcd at 3875, para. 403.

[211] 47 U.S.C. § 271(c)(2)(B)(xii).

accordance with requirements prescribed by the Commission."[212] The 1996 Act defines number portability as "the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."[213] In order to prevent the cost of number portability from thwarting local competition, Congress enacted section 251(e)(2), which requires that "[t]he cost of establishing telecommunications numbering administration arrangements and number portability shall be borne by all telecommunications carriers on a competitively neutral basis as determined by the Commission."[214] Pursuant to these statutory provisions, the Commission requires LECs to offer interim number portability "to the extent technically feasible."[215] The Commission also requires LECs to gradually replace interim number portability with permanent number portability.[216] The Commission has established guidelines for states to follow in mandating a competitively neutral cost-recovery mechanism for interim number portability,[217] and created a competitively neural cost-recovery mechanism for long-term number portability.[218]

L. Checklist Item 12 – Local Dialing Parity

64. Section 271(c)(2)(B)(xii) requires a BOC to provide "[n]ondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3)."[219] Section

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[212] *Id.* at § 251(b)(2).

[213] *Id.* at § 153(30).

[214] *Id.* at § 251(e)(2); *see also Second BellSouth Louisiana Order*, 13 FCC Rcd at 20757, para. 274; *In the Matter of Telephone Number Portability*, Third Report and Order, 13 FCC Rcd 11701, 11702-04 (1998) (*Third Number Portability Order*); *In the Matter of Telephone Number Portability*, Fourth Memorandum Opinion and Order on Reconsideration, 15 FCC Rcd 16459, 16460, 16462-65, paras. 1, 6-9 (1999) (*Fourth Number Portability Order*).

[215] *Fourth Number Portability Order*, 15 FCC Rcd at 16465, para. 10; *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352, 8409-12, paras. 110-16 (1996) (*First Number Portability Order*); *see also* 47 U.S.C. § 251(b)(2).

[216] *See* 47 C.F.R. §§ 52.3(b)-(f); *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *First Number Portability Order*, 11 FCC Rcd at 8355, 8399-8404, paras. 3, 91; *Third Number Portability Order*, 13 FCC Rcd at 11708-12, paras. 12-16.

[217] *See* 47 C.F.R. § 52.29; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *First Number Portability Order*, 11 FCC Rcd at 8417-24, paras. 127-40.

[218] *See* 47 C.F.R. §§ 52.32, 52.33; *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20758, para. 275; *Third Number Portability Order*, 13 FCC Rcd at 11706-07, para. 8; *Fourth Number Portability Order* at 16464-65, para. 9.

[219] Based on the Commission's view that section 251(b)(3) does not limit the duty to provide dialing parity to any particular form of dialing parity (*i.e.*, international, interstate, intrastate, or local), the Commission adopted rules in August 1996 to implement broad guidelines and minimum nationwide standards for dialing parity. *Local Competition Second Report and Order*, 11 FCC Rcd at 19407; *Interconnection Between Local Exchange Carriers* (continued....)

251(b)(3) imposes upon all LECs "[t]he duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service with no unreasonable dialing delays."[220] Section 153(15) of the Act defines "dialing parity" as follows:

> [A] person that is not an affiliate of a local exchange carrier is able to provide telecommunications services in such a manner that customers have the ability to route automatically, without the use of any access code, their telecommunications to the telecommunications services provider of the customer's designation.[221]

65. The rules implementing section 251(b)(3) provide that customers of competing carriers must be able to dial the same number of digits the BOC's customers dial to complete a local telephone call.[222] Moreover, customers of competing carriers must not otherwise suffer inferior quality service, such as unreasonable dialing delays, compared to the BOC's customers.[223]

M. Checklist Item 13 – Reciprocal Compensation

66. Section 271(c)(2)(B)(xiii) of the Act requires that a BOC enter into "[r]eciprocal compensation arrangements in accordance with the requirements of section 252(d)(2)."[224] In turn, pursuant to section 252(d)(2)(A), "a state commission shall not consider the terms and conditions for reciprocal compensation to be just and reasonable unless (i) such terms and conditions provide for the mutual and reciprocal recovery by each carrier of costs associated with the transport and termination on each carrier's network facilities of calls that originate on the network facilities of the other carrier; and (ii) such terms and conditions determine such costs on the basis of a reasonable approximation of the additional costs of terminating such calls."[225]

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and Commercial Mobile Radio Service Providers, CC Docket No. 95-185, Further Order On Reconsideration, FCC 99-170 (rel. July 19, 1999).

[220] 47 U.S.C. § 251(b)(3).

[221] *Id.* § 153(15).

[222] 47 C.F.R §§ 51.205, 51.207.

[223] *See* 47 C.F.R. § 51.207 (requiring same number of digits to be dialed); *Local Competition Second Report and Order*, 11 FCC Rcd at 19400, 19403.

[224] 47 U.S.C. § 271(c)(2)(B)(xiii).

[225] *Id.* § 252(d)(2)(A).

N. Checklist Item 14 – Resale

67. Section 271(c)(2)(B)(xiv) of the Act requires a BOC to make "telecommunications services . . . available for resale in accordance with the requirements of sections 251(c)(4) and 252(d)(3)."[226] Section 251(c)(4)(A) requires incumbent LECs "to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers."[227] Section 252(d)(3) requires state commissions to "determine wholesale rates on the basis of retail rates charged to subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection, and other costs that will be avoided by the local exchange carrier."[228] Section 251(c)(4)(B) prohibits "unreasonable or discriminatory conditions or limitations" on service resold under section 251(c)(4)(A).[229] Consequently, the Commission concluded in the *Local Competition First Report and Order* that resale restrictions are presumed to be unreasonable unless the LEC proves to the state commission that the restriction is reasonable and nondiscriminatory.[230] If an incumbent LEC makes a service available only to a specific category of retail subscribers, however, a state commission may prohibit a carrier that obtains the service pursuant to section 251(c)(4)(A) from offering the service to a different category of subscribers.[231] If a state creates such a limitation, it must do so consistent with requirements established by the Federal Communications Commission.[232] In accordance with sections 271(c)(2)(B)(ii) and 271(c)(2)(B)(xiv), a BOC must also demonstrate that it provides nondiscriminatory access to operations support systems for the resale of its retail

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226 *Id.* § 271(c)(2)(B)(xiv).

227 *Id.* § 251(c)(4)(A).

228 *Id.* § 252(d)(3).

229 *Id.* § 251(c)(4)(B).

230 *Local Competition First Report and Order*, 11 FCC Rcd at 15966, para. 939; 47 C.F.R. § 51.613(b). The Eighth Circuit acknowledged the Commission's authority to promulgate such rules, and specifically upheld the sections of the Commission's rules concerning resale of promotions and discounts in *Iowa Utilities Board. Iowa Utils. Bd. v. FCC*, 120 F.3d at 818-19, *aff'd in part and remanded on other grounds, AT&T v. Iowa Utils. Bd.*, 525 U.S. 366 (1999). *See also* 47 C.F.R. §§ 51.613-51.617.

231 47 U.S.C. § 251(c)(4)(B).

232 *Id.*

telecommunications services.[233] The obligations of section 251(c)(4) apply to the retail telecommunications services offered by a BOC's advanced services affiliate.[234]

V. COMPLIANCE WITH SEPARATE AFFILIATE REQUIREMENTS – SECTION 272

68. Section 271(d)(3)(B) requires that the Commission shall not approve a BOC's application to provide interLATA services unless the BOC demonstrates that the "requested authorization will be carried out in accordance with the requirements of section 272."[235] The Commission set standards for compliance with section 272 in the *Accounting Safeguards Order* and the *Non-Accounting Safeguards Order*.[236] Together, these safeguards discourage and facilitate the detection of improper cost allocation and cross-subsidization between the BOC and its section 272 affiliate.[237] In addition, these safeguards ensure that BOCs do not discriminate in favor of their section 272 affiliates.[238]

69. As the Commission stated in the *Ameritech Michigan Order*, compliance with section 272 is "of crucial importance" because the structural, transactional, and nondiscrimination safeguards of section 272 seek to ensure that BOCs compete on a level playing field.[239] The Commission's findings regarding section 272 compliance constitute

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[233] *See, e.g., Bell Atlantic New York Order*, 15 FCC Rcd at 4046-48, paras. 178-81 (Bell Atlantic provides nondiscriminatory access to its OSS ordering functions for resale services and therefore provides efficient competitors a meaningful opportunity to compete).

[234] *See Verizon Connecticut Order*, 16 FCC Rcd 14147, 14160-63, paras. 27-33 (2001); *Association of Communications Enterprises v. FCC*, 235 F.3d 662 (D.C. Cir. 2001).

[235] 47 U.S.C. § 271(d)(3)(B).

[236] *See Implementation of the Accounting Safeguards Under the Telecommunications Act of 1996*, CC Docket No. 96-150, Report and Order, 11 FCC Rcd 17539 (1996) (*Accounting Safeguards Order*), Second Order On Reconsideration, FCC 00-9 (rel. Jan. 18, 2000); *Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, CC Docket No. 96-149, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 21905 (1996) (*Non-Accounting Safeguards Order*), *petition for review pending sub nom. SBC Communications v. FCC*, No. 97-1118 (filed D.C. Cir. Mar. 6, 1997) (held in abeyance May 7, 1997), First Order on Reconsideration, 12 FCC Rcd 2297 (1997) (*First Order on Reconsideration*), Second Order on Reconsideration, 12 FCC Rcd 8653 (1997) (*Second Order on Reconsideration*), *aff'd sub nom. Bell Atlantic Telephone Companies v. FCC*, 131 F.3d 1044 (D.C. Cir. 1997), Third Order on Reconsideration, FCC 99-242 (rel. Oct. 4, 1999) (*Third Order on Reconsideration*).

[237] *Non-Accounting Safeguards Order*, 11 FCC Rcd at 21914; *Accounting Safeguards Order*, 11 FCC Rcd at 17550; *Ameritech Michigan Order*, 12 FCC Rcd at 20725.

[238] *Non-Accounting Safeguards Order*, 11 FCC Rcd at 21914, paras. 15-16; *Ameritech Michigan Order*, 12 FCC Rcd at 20725, para. 346.

[239] *Ameritech Michigan Order*, 12 FCC Rcd at 20725, para. 346; *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

independent grounds for denying an application.[240] Past and present behavior of the BOC applicant provides "the best indicator of whether [the applicant] will carry out the requested authorization in compliance with section 272."[241]

VI. COMPLIANCE WITH THE PUBLIC INTEREST – SECTION 271(D)(3)(C)

70. In addition to determining whether a BOC satisfies the competitive checklist and will comply with section 272, Congress directed the Commission to assess whether the requested authorization would be consistent with the public interest, convenience, and necessity.[242] Compliance with the competitive checklist is itself a strong indicator that long distance entry is consistent with the public interest. This approach reflects the Commission's many years of experience with the consumer benefits that flow from competition in telecommunications markets.

71. Nonetheless, the public interest analysis is an independent element of the statutory checklist and, under normal canons of statutory construction, requires an independent determination.[243] Thus, the Commission views the public interest requirement as an opportunity to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will therefore serve the public interest as Congress expected. Among other things, the Commission may review the local and long distance markets to ensure that there are not unusual circumstances that would make entry contrary to the public interest under the particular circumstances of the application at issue.[244] Another factor that could be relevant to the analysis is whether the Commission has sufficient assurance that markets will remain open after grant of the application. While no one factor is dispositive in this analysis, the overriding goal is to ensure that nothing undermines the conclusion, based on the Commission's analysis of checklist compliance, that markets are open to competition.

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[240] *Second BellSouth Louisiana Order*, 13 FCC Rcd at 20785-86, para. 322; *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

[241] *Bell Atlantic New York Order*, 15 FCC Rcd at 4153, para. 402.

[242] 47 U.S.C. § 271(d)(3)(C).

[243] In addition, Congress specifically rejected an amendment that would have stipulated that full implementation of the checklist necessarily satisfies the public interest criterion. *See Ameritech Michigan Order*, 12 FCC Rcd at 20747 at para. 360-66; *see also* 141 Cong. Rec. S7971, S8043 (June. 8, 1995).

[244] *See Second BellSouth Louisiana Order*, 13 FCC Rcd at 20805-06, para. 360 (the public interest analysis may include consideration of "whether approval . . . will foster competition in all relevant telecommunications markets").

STATEMENT OF CHAIRMAN MICHAEL K. POWELL

Re: Application by Verizon New England Inc., Verizon Delaware Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a) Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization to Provide In-Region, InterLATA Services in New Hampshire and Delaware, WC Docket No. 02-157

Today, the Commission votes unanimously to approve Verizon's application to provide long distance services in New Hampshire and Delaware. We could not have achieved this result without the tireless and dedicated work of the New Hampshire Public Utilities Commission and the Delaware Public Service Commission.

In this proceeding, questions have been raised concerning the pricing of network elements, in particular, the pricing of unbundled switching. As the Supreme Court has noted, the Telecommunications Act of 1996 is a "model of ambiguity." This proceeding presents this Commission with another example of a question that the statute does not directly answer – whether network elements must be evaluated by the Commission in the context of its section 271 review on an individualized basis or at a more aggregated level.

When the Act passed in 1996, Congress and this Commission engaged in a largely theoretical exercise about how competitors would purchase unbundled network elements. Today, we know that competitors invariably do not purchase the unbundled switching element separately from other elements such as shared transport. Indeed, it may be technically infeasible to do so. With this in mind, I believe that the overall structure of the statute supports a decision that comports with this marketplace reality. Furthermore, I am not persuaded that we should deviate from our prior benchmarking decisions based on a legal argument advanced by opponents that is not driven by their legitimate business needs.

As the item demonstrates, Verizon's prices for network elements are within the appropriate range of what reasonable pricing principles should produce. Forcing them to lower those rates even further would be confiscatory and calculated for the sole purpose of further driving down rates for unbundled element platforms. Verizon has, in good faith, met its statutory obligations and should be entitled to enter the long distance market in both New Hampshire and Delaware. To deny consumers the benefits of that entry is to elevate form over substance, which I am unwilling to do.

SEPARATE STATEMENT OF COMMISSIONER MICHAEL J. COPPS, APPROVING IN PART, CONCURRING IN PART

Re: *Application by Verizon New England, Inc., Verizon Delaware, Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks, Inc., and Verizon Select Services Inc., for Authorization to Provide In-Region InterLATA Services in New Hampshire and Delaware (WC Docket No. 02-157)*

I write separately to explain the reasons that I concur in part in this Order granting Verizon's application to provide long-distance services in New Hampshire and Delaware. Verizon has done a great deal to open its local markets to competition in these states. I also commend the New Hampshire and Delaware Commissions for their significant efforts to ensure competition.

The major issue in this proceeding has been the pricing of network elements, and in particular, the rates for unbundled switching. In the New Hampshire application, the majority concludes that the statute permits Bell companies in all instances to demonstrate compliance with the checklist by aggregating the non-loop elements. I disagree with the majority's analysis. Section 271 requires a BOC to provide "nondiscriminatory access to network elements in accordance with sections 251(c)(3) and 252(d)(1)." Section 252(d)(1) in turn provides that the just and reasonable rate for network elements shall be based on the cost of providing the *network element.* I believe the better reading of the statute is that the rate for each network element must comport with Congress' pricing directive. Indeed, in previous applications in which the Commission has conducted a bottom-up analysis of the forward-looking rates, it has examined the switching element independent of transport.

Notwithstanding my concern with the legal reasoning, I agree that we should grant Verizon's application. The Commission has recognized that states may reach different decisions on the optimal network configuration when they set rates. These differences could result in trade-offs among rates for elements when compared in our benchmark analysis. That may well be the case in this instance. Here, our benchmark model indicates that rates for transport could be significantly higher in New Hampshire than in New York, but the actual transport rates in New Hampshire are 35 percent lower. On the other hand, the switching rates in New Hampshire are approximately 10 percent higher than the benchmark would allow. I concur in this decision, because the record indicates that the commercial reality in New Hampshire is that competitors are only purchasing switching with transport. In another situation in which competitors were purchasing unbundled switching or another network element on its own, we would need to scrutinize more closely the trade-offs among the element rates. In that instance, the statute could well compel a different result.

SEPARATE STATEMENT OF COMMISSIONER KEVIN J. MARTIN, APPROVING IN PART, CONCURRING IN PART

Re: Application by Verizon New England Inc., Verizon Delaware Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a) Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization to Provide In-Region, InterLATA Services in New Hampshire and Delaware (WC Docket No. 02-157)

Today we grant Verizon authority to provide in-region, interLATA service originating in the States of New Hampshire and Delaware. I support this Order and commend the New Hampshire Public Utilities Commission and the Delaware Public Service Commission for their hard work.

I must concur, however, with the decision's statutory analysis on the standard for reviewing the pricing of individual unbundled network elements ("UNEs") in Section 271 applications. In today's action, the Commission finds that the statute does not require it to evaluate individually the checklist compliance of UNE TELRIC rates on an element-by-element basis. The Commission concludes that because the statute uses the plural term "elements," it has the discretion to ignore subsequent reference to prices for a particular "element" in the singular. I disagree.

Bell operating companies seeking to enter the long distance market must meet the requirements of the fourteen point checklist contained in section 271 of the Act.[1] The 271 process requires that the Commission ensure that the applicants comply with all of the checklist requirements. One of the items on the checklist requires that the Commission: (i) verify that the Bell operating company provides nondiscriminatory access to network elements; and (ii) ensure that rates are just and reasonable based on the cost of providing "the network element."[2]

The pricing standard for network elements analyzed during the 271 checklist review process resides in Section 252. Under this section, states must set unbundled network element rates that are just and reasonable and "based on the cost of providing the network element."[3] The clearest reading of this section would seem to require that the Commission ensure that the rates charged for any particular element is based on that elements' cost. Previously, the Commission has determined that this requirement is satisfied by compliance with TELRIC principles for pricing. Thus the most straightforward reading of our statutory obligation is to make sure that the price of any

[1] See 47 U.S.C. 271.

[2] See 47 U.S.C. 271(c)(2)(B)(ii) and 47 U.S.C. 252(d)(1).

[3] Section 252(d)(1) states that in relevant part, that "[d]eterminations by a state commission of... the just and reasonable rate for network elements for purposes of [section 251(c)(3)]...shall be based on the cost...of providing the...*network element (emphasis added).*

element—and particularly any price that someone alleges is not based on cost –is actually based on cost.

In defense of its statutory interpretation, the Commission argues that because the relevant statutory provisions do not refer to the term "network element" exclusively in the singular, the Commission is not required "to perform a separate evaluation of the rate for each network element in isolation."[4] Typical statutory construction requires specific directions in a statute take precedent over any general admonitions. Contrary to such accepted principles of statutory construction, the order suggests that general language referring to the network elements (in the plural form) in sections 252 and 271 trumps the language addressing the specific pricing standard in section 252 that requires a determination on the cost of providing the network element. In my view, such interpretation runs contrary to those principles.

In addition, the decision attempts to find additional legal support for its statutory interpretation by noting that the only party that raised this legal issue on the record also takes the position that some degree of aggregation is appropriate in conducting a benchmark analysis. I fail to see how this inconsistency is relevant to the issue of whether the Commission is obligated under the Act to evaluate individually the checklist compliance of UNE TELRIC rates on an element-by-element basis.[5]

Finally, in circumstances where a party challenges the pricing of an individual element within an aggregated rate benchmark containing several elements, I do not believe that it would be overly burdensome for the Commission to review the compliance of those elements on an individual basis.

In my view, Section 252(d)(1) sets forth the pricing standard used for determining TELRIC compliance in Section 271 applications. That standard explicitly requires that we examine UNE rates by each individual "network element." I believe we should not ignore such an explicit Congressional mandate.

For these reasons, I concur in this Order.

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[4] *Section 271(c)(2)(B)(ii) requires that the Commission determine whether an applicant is providing* "[n]ondiscriminatory access to network elements in accordance with the requirements of ..." the pricing standard enunciated in section 252(d)(1).

[5] Despite references in the decision to the Commission's long-standing practice of benchmarking and statements regarding rationale provided in prior orders to support the Commission's statutory interpretation - - this is the first time that the Commission has addressed whether it has the authority, under 252(d)(1) and 271, to permit rate benchmarking of nonloop prices in the aggregate rather than on an individual element-by-element basis.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Application by Verizon New Jersey Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in New Jersey	)	WC Docket No. 02-67

MEMORANDUM OPINION AND ORDER

Adopted: June 24, 2002 **Released: June 24, 2002**

By the Commission: Commissioner Copps issuing a statement.

TABLE OF CONTENTS

I. INTRODUCTION

1. On March 26, 2002, Verizon New Jersey Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc. – collectively, Verizon – filed this application (NJ II) pursuant to section 271 of the Communications Act of 1934, as amended,[1] for authority to provide in-region, interLATA service originating in the state of New Jersey.[2] Although Verizon initially filed its section 271 application for New Jersey with this Commission on December 20, 2001 (NJ I), that application was withdrawn on March 19, 2002.[3] We grant the NJ II application in this Order based on our conclusion that Verizon has taken the statutorily required steps to open its local exchange markets in New Jersey to competition.

2. In granting this application, we recognize the work of the New Jersey Board of Public Utilities (New Jersey Board) in laying the foundation for approval of this application. The New Jersey Board conducted proceedings concerning Verizon's section 271 compliance that

[1] We refer to the Communications Act of 1934, as amended by the Telecommunications Act of 1996, as the Communications Act or the Act. 47 U.S.C. § 151 *et seq.*

[2] *See Comments Requested on the Application By Verizon New Jersey Inc. for Authorization to Provide In-Region, InterLATA Service in the State of New Jersey*, WC Docket No. 02-67, Public Notice, DA 02-718 (WCB rel. Mar. 26, 2002) (*NJ II Public Notice*).

[3] *See Application of Verizon New Jersey Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc. for Authorization to Provide In-Region, InterLATA Services in New Jersey*, CC Docket No. 01-347, Order, DA 02-667 (CCB rel. Mar. 20, 2002) (*NJ I Termination Order*). We refer to the current section 271 application (filed on March 26, 2002) as "NJ II."

were open to participation by all interested parties.[4] In addition, the New Jersey Board adopted a broad range of performance measures and standards, as well as an Incentive Plan designed to create a financial incentive for post-entry compliance with section 271. Moreover, the New Jersey Board has committed itself to actively monitor Verizon's continuing efforts to open its local markets to competition in a sustainable manner.[5] As the Commission has repeatedly recognized, state proceedings demonstrating a commitment to advancing the pro-competitive purposes of the Act serve a vitally important role in the section 271 process.[6]

3. Verizon's NJ I application stated that competing carriers in New Jersey served approximately 564,000 lines, approximately 57,000 of which were residential, using all three entry paths available under the Act.[7] At the time the NJ I application was filed, competitors across the state served approximately 361,000 lines solely over their own facilities; approximately 22,000 lines through unbundled network element platforms (UNE-platforms); and approximately 182,000 lines through resale.[8] Since the NJ I application was filed, Verizon notes that competing carriers have added approximately 50,000 new lines in New Jersey, and that the number of lines being served by competitors using UNE-platforms has grown to nearly 40,000 lines.[9] In addition, Verizon asserts that competitors exchange approximately 1.9 billion minutes of traffic each month with Verizon over almost two-thirds as many trunks as Verizon has

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[4] On September 5, 2001, Verizon filed an application with the New Jersey Board of Public Utilities seeking approval to pursue section 271 authority for the state. *See* New Jersey Board NJ I Comments at 2. The New Jersey BPU completed its review and approved the NJ I application on January 9, 2002.

[5] *See, e.g.*, New Jersey Board NJ I Comments at 24 (Verizon required to periodically provide BPU with copies of sample bills to confirm that it is continuing to bill lawful rates for unbundled network elements)), 41 (Verizon required to maintain manual review and balancing procedures in New Jersey until BPU staff is satisfied that such procedures are not necessary to produce adequately balanced electronic bills for CLECs).

[6] *See, e.g., Application of Verizon Pennsylvania Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks Inc., and Verizon Select Services Inc. for Authorization To Provide In-Region, InterLATA Services in Pennsylvania*, CC Docket No. 01-138, Memorandum Opinion and Order, 16 FCC Record 17419, 17421, at para. 3 (2001) (*Verizon Pennsylvania Order*); *Application of Verizon New York Inc., Verizon Long Distance, Verizon Enterprise Solutions, Verizon Global Networks Inc. and Verizon Select Services, Inc. for Authorization to Provide In-Region, InterLATA Services in Connecticut*, CC Docket 01-100, Memorandum Opinion and Order, 16 FCC Rcd 14147, 14149, at para. 3 (2001) (*Verizon Connecticut Order*); *Application of Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) And Verizon Global Networks Inc., for Authorization to Provide In-Region, InterLATA Services in Massachusetts*, CC Docket 01-9, Memorandum Opinion and Order, 16 FCC Rcd 8988, 8990, at para. 2 (2001) (*Verizon Massachusetts Order*).

[7] Verizon NJ I Application at 1 and App. A, Vol.3, Declaration of William E. Taylor (Verizon NJ I Taylor Decl.), Attach. 1 at 3.

[8] Verizon NJ I Application at 7.

[9] *See* Verizon NJ II Application at 3-4 and App. A, Tab C, Declaration of John A. Torre (Verizon NJ II Torre Decl.), Attach. 1, at para. 2. Verizon further states that the number of residential lines served by competitors using their own facilities and using UNE-platforms have each more than doubled as well. *Id.*

connecting its switches in its own interoffice network in New Jersey.[10] Verizon also states that competitors have access to approximately 90 percent of Verizon's access lines in New Jersey through approximately 940 collocation arrangements.[11]

II. BACKGROUND

4. In the 1996 amendments to the Communications Act, Congress required that the Bell Operating Companies (BOCs) demonstrate compliance with certain market-opening requirements contained in section 271 of the Act before providing in-region, interLATA long distance service.[12] Under section 271, Congress requires that the Commission review BOC applications to provide such service in consultation with the affected state and the Attorney General.[13]

5. The New Jersey Board conducted an extensive proceeding, which was open to participation by all interested parties, to facilitate competition in local exchange markets, starting with adopting carrier-to-carrier guidelines in May 2000.[14] On September 5, 2001, Verizon made a compliance filing for section 271 approval with the New Jersey Board.[15] The Board proposed a new Incentive Plan (IP) in October 2001, which was subsequently approved and finalized, with some modifications, on January 10, 2002.[16] On January 14, 2002, the New Jersey Board recommended that this Commission grant Verizon's application for authorization to provide in-

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[10] *Id.* at 20.

[11] *Id.* at 22-23.

[12] The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996).

[13] The Commission has summarized the relevant statutory framework in prior orders. *See, e.g., Joint Application by SBC Communications Inc., Southwestern Bell Tel. Co., and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Kansas and Oklahoma*, CC Docket No. 00-217, Memorandum Opinion and Order, 16 FCC Rcd 6237, 6241-42, paras. 7-10 (2001) (*SWBT Kansas/Oklahoma Order*), *aff'd in part, remanded in part sub nom. Sprint Communications Co. v. FCC*, 274 F.3d 549 (D.C. Cir. 2001); *Application by SBC Communications Inc., Southwestern Bell Tel. Co., and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Texas*, CC Docket No. 00-65, Memorandum Opinion and Order, 15 FCC Rcd 18354, 18359-61, paras. 8-11 (2000) (*SWBT Texas Order*); *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the State of New York*, CC Docket No. 99-295, Memorandum Opinion and Order, 15 FCC Rcd 3953, 3961-63, paras. 17-20 (1999) (*Bell Atlantic New York Order*), *aff'd, AT&T Corp. v. FCC*, 220 F.3d 607 (D.C. Cir. 2000).

[14] New Jersey Board NJ I Comments at 1.

[15] *Id.* at 2.

[16] *Investigation Regarding Local Exchange Competition for Telecommunications Services*, Docket No. TX95120631, *Investigation Regarding the Status of Local Exchange Competition in New Jersey*, Docket No. TX98010010, Order Approving Incentive Plan, (rel. Jan. 10, 2002) (IP Order). The IP proposed by the Board in October 2001(NJ Incentive Plan) is attached to the IP Order.

region, interLATA services in New Jersey.[17] The New Jersey Board also conducted a lengthy pricing proceeding, beginning in 1997 and culminating in a final order on pricing for unbundled network elements on March 6, 2002.[18]

6. The Department of Justice recommends approval of this application, subject to the Commission "satisfying itself" regarding Verizon's checklist compliance for certain pricing and operations support systems (OSS) issues.[19] In particular, it states that,

> [a]lthough Verizon's reduction of hot cut [non-recurring charges] appears to respond to the concern expressed in the Department's Evaluation of its first New Jersey application, it is unclear whether this reduction will remain in effect for a sufficient period of time. Moreover, issues have been raised regarding nondiscriminatory access to Verizon's OSS in New Jersey.[20]

7. As noted above, this is Verizon's second application for section 271 authority in New Jersey. Because the NJ II application was filed so shortly after the NJ I application was withdrawn, and Verizon relies largely on the same evidence in NJ II that it filed to support NJ I, we explicitly stated that parties should incorporate by reference any comments filed in response to NJ I to the extent they wished to rely on those comments in NJ II.[21] A number of commenters from the NJ I proceeding did not file comments in NJ II, and a few who did file in both proceedings did not incorporate their NJ I comments into the record here.[22] To the extent issues raised in NJ I were not incorporated into the record of this proceeding or otherwise placed in this record by NJ II commenters, those issues will not be addressed in this Order, as they are not properly before us in this new proceeding.

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[17] New Jersey Board NJ I Comments at 1. The NJ Board reaffirmed its recommendation that the Commission grant Verizon authority to provide in-region, interLATA services in New Jersey. NJ Board NJ II Comments at 2.

[18] *Investigation Regarding Local Exchange Competition for Telecommunications* Services, Docket No. TX95120631 (Dec. 2, 1997); *Review of Unbundled Network Elements, Rates, Terms, and Conditions of Bell Atlantic New Jersey, Inc.*, Docket No. TO00060356, Decision and Order (rel. March 6, 2002) (*Final UNE Rate Order* or *New Jersey BPU Final UNE Rate Order*).

[19] Department of Justice NJ I Evaluation at 8-9; Department of Justice NJ II Evaluation at 9-10.

[20] Department of Justice NJ II Evaluation at 9 (footnotes omitted).

[21] *See NJ II Public Notice* at 1-2.

[22] The following parties filed comments in both NJ I and NJ II: ASCENT; AT&T; Cavalier; Department of Justice; MetTel; New Jersey Board; NJCTA (reply only in NJ II); NJDRA; Sprint; WorldCom; and XO. Only AT&T, Department of Justice, New Jersey Board, NJCTA, NJDRA, Sprint, WorldCom, and XO explicitly incorporate their NJ I comments by reference. *See* Appendix A for a complete list of parties who submitted comments and replies in this proceeding. To the extent issues raised in NJ I were not incorporated into the record of this proceeding or otherwise placed in this record by NJ II commenters, those issues will not be addressed in this Order, as they are not properly before us in this new proceeding.

III. PRIMARY ISSUES IN DISPUTE

8. In a number of prior orders, the Commission discussed in considerable detail the analytical framework and particular legal showing required to establish checklist compliance.[23] In this Order, we rely upon the legal and analytical precedent established in those prior orders. Additionally, as we began doing with the *Verizon Connecticut Order*, we include comprehensive appendices containing performance data and the statutory framework for approving section 271 applications.[24] In reviewing this application, we examine performance data as reported in carrier-to-carrier reports reflecting service in the period from November 2001 through March 2002.

9. As in our most recent orders on section 271 applications, we focus in this Order on the issues in controversy in the record.[25] Accordingly, we begin by addressing Verizon's compliance with section 271(c)(1)(A), which requires the presence of facilities-based competitors serving both residential and business customers. Next, we discuss Verizon's compliance with checklist item numbers 2 and 4, which encompass access to unbundled network elements and access to unbundled local loops, respectively.[26] We then address checklist item

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[23] *See SWBT Texas Order*, 15 FCC Rcd at 18359-61, 18365-72, 18373-78, paras. 8-11, 21-40, and 43-58; *Bell Atlantic New York Order*, 15 FCC Rcd at 3961-63, 3966-69, 3971-76, paras. 17-20, 29-37, and 43-60; *see also* Appendix C.

[24] *See generally* Appendices B and C.

[25] *See, e.g., Application by Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc., for Authorization To Provide In-Region, InterLATA Services in Vermont*, CC Docket No. 02-7, Memorandum Opinion & Order, FCC 02-118, at para. 9 (rel. Apr. 17, 2002) (*Verizon Vermont Order*); *Application by Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select services Inc., for Authorization to Provide In-Region, InterLATA Services in Rhode Island*, CC Docket No. 01-324, Memorandum Opinion and Order, 17 FCC Rcd 3300, 3311 at para. 19 (rel. Feb. 22, 2002) (*Verizon Rhode Island Order*); *Joint Application By SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant To Section 271 of the Telecommunications Act Of 1996 to Provide In-Region, InterLATA Services in Arkansas and Missouri*, CC Docket No. 01-194, Memorandum Opinion and Order, 16 FCC Rcd 20719, 20725, at para. 12 (rel. Nov. 16, 2001) (*SBC Arkansas/Missouri Order*).

[26] We note that the United States Court of Appeals for the District of Columbia Circuit recently opined in two relevant Commission decisions, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696 (1999) (*Local Competition Order*) and *Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order in CC Doc. No. 98-147 and Fourth Report and Order in CC Doc. No. 96-98, 14 FCC Rcd 20912 (1999) (*Line Sharing Order*). *USTA v. FCC*, 290 F.3d 415 (D. C. Cir. 2002). The court's decision addressed both our UNE rules and our line sharing rules. The Commission is currently reviewing its unbundled network elements rules, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, 16 FCC Rcd 2278 (2001), and recently extended the reply comment date to allow parties to incorporate their review and analysis of the D.C. Circuit's recent decision. *Wireline Competition Bureau Extends Reply Comment Deadline for Wireline Broadband and Triennial Review Proceedings*, Public Notice, DA 02-1284 (May 29, 2002). Further, the court stated that "the (continued....)

numbers 1, 8, 13 and 14, which cover interconnection and collocation issues, directory listings, reciprocal compensation, and resale, respectively. The remaining checklist requirements are discussed briefly, as they received little or no attention from commenting parties, and our own review of the record leads us to conclude that Verizon has satisfied these requirements. Finally, we discuss issues concerning compliance with section 272 and the public interest requirement.

A. Compliance With Section 271(c)(1)(A)

10. In order for the Commission to approve a BOC's application to provide in-region, interLATA services, the BOC must first demonstrate that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or section 271(c)(1)(B) (Track B).[27] To meet the requirements of Track A, a BOC must have interconnection agreements with one or more competing providers of "telephone exchange service . . . to residential and business customers."[28] The Commission has further held that a BOC must show that at least one "competing provider" constitutes "an actual commercial alternative to the BOC,"[29] which a BOC can do by demonstrating that the provider serves "more than a *de minimis* number" of subscribers.[30] The Commission has interpreted Track A not to require any particular level of market penetration, however, and the D.C. Circuit has affirmed that the Act "imposes no volume requirements for satisfaction of Track A."[31]

11. We conclude, as the New Jersey Board did,[32] that Verizon satisfies the requirements of Track A in New Jersey. Verizon relies on interconnection agreements with MetTel, eLEC, and Broadview in support of its Track A showing, and we find that each of these carriers serves more than a *de minimis* number of end users predominantly over its own facilities

(Continued from previous page)
Line Sharing Order must be vacated and remanded." *Id.* The court also stated that it "grant[ed] the petitions for review and remand[ed] the *Line Sharing Order* and the *Local Competition Order* to the Commission for further consideration in accordance with the principles outlined." *Id.*

27 47 U.S.C. § 271(c)(1).

28 *Id.*

29 *Application by SBC Communications Inc., Pursuant to Section 271 of the Communications Act of 1934, as amended, To Provide In-Region, InterLATA Services in Oklahoma*, Memorandum Opinion and Order, 12 FCC Rcd 8685, 8695, para. 14 (1997) (*SWBT Oklahoma Order*).

30 *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6257, para. 42; *see also Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, To Provide In-Region, InterLATA Services in Michigan*, Memorandum Opinion and Order, 12 FCC Rcd 20543, 20585, para. 78 (1997) (*Ameritech Michigan Order*).

31 *Sprint v. FCC*, 274 F.3d at 553-54; *see also SBC Communications Inc. v. FCC*, 138 F.3d 410, 416 (D.C. Cir. 1998) ("Track A does not indicate just how much competition a provider must offer in either the business or residential markets before it is deemed a 'competing' provider.").

32 New Jersey Board NJ I Comments at 9.

and represents an "actual commercial alternative" to Verizon in New Jersey.[33] Specifically, MetTel provides telephone exchange service to both residential and business subscribers in New Jersey primarily through UNE-platforms.[34] Broadview and eLEC provide service to both residential and business customers in New Jersey through UNE loops, UNE-Platform, and resale.[35] Verizon notes that each of these carriers has increased the number of residential lines it serves since the time Verizon filed its NJ I application.[36] We also note that the New Jersey Board has stated its intention to take additional measures to further encourage local entry by competitors of Verizon New Jersey, if necessary.[37]

12. Only one commenter disputes Verizon's compliance with Track A requirements.[38] The New Jersey Division of the Ratepayer Advocate (NJDRA) argues that Verizon should fail Track A because: (1) the numbers that Verizon reports for Track A are wrong; (2) even if those numbers are correct, the amount is *de minimis*; and, (3) Verizon does not provide evidence that the residential customers served by competitive LECs are not test customers.[39]

13. We disagree. In its application, Verizon provided estimates of the number of residential and business customers receiving facilities-based service from all the competing LECs

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[33] Verizon NJ I Application at 7; Verizon NJ I Taylor Decl., Attach. 1, at paras. 23-27 (citing confidential portion); updated in Verizon NJ II Torre Decl., Attach. 1 at Table 1 (citing confidential portion). According to Verizon, competing LECs now serve approximately 2,200 residential lines through UNE-platform or UNE loops. The numbers of customers attributed to each competing LEC are available on the record pursuant to the protective order. Letter from Clint Odom, Verizon, to William F. Caton, Acting Secretary, Federal Communications Commission, WC Docket No. 02-67 (filed March 29, 2002) (Verizon NJ II Mar. 29 *Competitive Lines Ex Parte* Letter) at 2 (citing confidential portion). Verizon also notes that many other competing LECs, such as AT&T, WorldCom, Cavalier, and Adelphia, serve business customers in New Jersey over their own facilities. Verizon NJ I Taylor Decl. Attach. 1, at paras. 28-48 (citing confidential portion), updated in Verizon NJ II Torre Decl., Attach. 1, at paras. 5-8 (citing confidential portion); *see also SWBT Oklahoma Order*, 12 FCC Rcd at 8695, para. 14.

[34] Verizon NJ I Taylor Decl., Attach. 1 at para. 27 (citing confidential portion), updated in Verizon NJ II Torre Decl. at para. 6 (citing confidential portion).

[35] Verizon NJ I Taylor Decl., Attach. 1 at paras. 23-26 (citing confidential portion), updated in Verizon NJ II Torre Decl. at para. 6 (citing confidential portion).

[36] Verizon NJ II Reply Appendix, Reply Declaration of John A. Torre (Verizon NJ II Torre Reply Decl.), Attach. 1, at para. 4.

[37] New Jersey Board NJ II Comments at 2.

[38] Many parties raise concerns about the number of facilities-based lines served by competitive LECs. *See* discussion under Public Interest Analysis in Section VI.C., below.

[39] NJDRA NJ I Comments at 17; NJDRA NJ II Comments at 2. Additionally, two commenters claim that the apparent increase in the number of competitive LEC lines reflects only a reallocation among already existing competitive LEC lines. NJDRA NJ II Comments at 3; Sprint NJ II Comments at 2. We find this argument irrelevant. The Commission has previously concluded that section 271(c)(1)(A) is satisfied if one or more competing providers collectively serve residential and business subscribers. *See* Appendix C at para. 15.

on which Verizon relies to make a Track A showing, including MetTel.[40] The record demonstrates that MetTel alone serves a sufficient number of residential customers via UNE-platform and, therefore, is an actual commercial alternative to Verizon in New Jersey.[41] We note that MetTel, a participant in this proceeding at both the state and federal level, has not disputed those numbers.[42] Nor have the other competing LECs disputed the numbers that Verizon attributes to them for purposes of Track A. Also, we reject NJDRA's argument that Verizon should fail Track A because only a small percentage of residential access lines are currently served by competing LECs.[43] As we have noted in previous orders, Congress specifically declined to adopt a market share or other similar test for BOC entry into long distance.[44] Finally, we find no evidence in the record to support NJDRA's speculative statement that the residential customers served by the competing LECs are test customers. Again, none of the competing LECs we rely on for purposes of Track A have disputed Verizon's contention that they are providing commercial local exchange service to these customers.

B. Checklist Item 2 – Unbundled Network Elements

14. Checklist item two of section 271 states that a BOC must provide "nondiscriminatory access to network elements in accordance with sections 251(c)(3) and 252(d)(1)" of the Act.[45] Section 251(c)(3) requires incumbent LECs to provide

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[40] Verizon NJ II Torre Decl., Attach. 1 at para. 6 (citing confidential portion), updated in Verizon NJ II Mar. 29 *Competitive Lines Ex Parte* Letter at 2 (citing confidential portion) and Verizon NJ II Torre Reply Decl., Exhibit 1 (citing confidential version).

[41] Verizon NJ II Torre Decl., Attach. 1 at para. 6.(citing confidential portion) and Verizon NJ II Mar. 29 *Competitive Lines Ex Parte* Letter at 2 (citing confidential portion). *See* also New Jersey Board NJ I Comments at 8-9. We note that carriers other than MetTel (either singly or in combination) would also satisfy Track A.

[42] MetTel filed comments and reply comments opposing Verizon's application. *See* MetTel NJ I Comments; MetTel NJ I Reply; MetTel NJ II Comments; and MetTel NJ II Reply. We note the Commission's reliance on a similar showing by SWBT that it satisfied Track A using Ionex, which was explicitly approved by the United States Court of Appeals for the D.C. Circuit. The Court found that since Ionex had been a party to the proceeding, Ionex had been put on notice "that [SWBT] was using Ionex's service to satisfy Track A. Ionex uttered not a peep in protest, correction or qualification." *Sprint v. FCC*, 274 F.3d at 562.

[43] NJDRA NJ I Comments at 18.

[44] *See, e.g., Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 77; *Sprint v. FCC*, 274 F. 3d at 553-54.

[45] 47 U.S.C. § 271(B)(ii). Overturning a decision issued by the Eighth Circuit Court of Appeals in 1997, on May 13, 2002, the U.S. Supreme Court upheld sections 51.315(c)-(f) of the Commission's rules, which, subject to certain limitations, require incumbent LECs to provide combinations of unbundled network elements "not ordinarily combined in the incumbent LEC's network" and to "combine unbundled network elements with the elements possessed by the requesting telecommunications carrier." *Verizon v. FCC*, Nos. 00-511, 00-555, 00-587, 00-590, and 00-602, 2002 WL 970643 at 22 (Sup. Ct. May 13, 2002). (In a prior decision, the Supreme Court upheld the Commission's authority to adopt sections 51.315(a)-(b) of the Commission's rules, which establish the general obligation of an incumbent LEC to provide combinations of network elements and require an incumbent LEC not to separate requested elements that it currently combines, except upon request. *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366, 385, 393-95 (1999).) For purposes of this application, we need not consider Verizon's compliance with (continued....)

"nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory."[46]

1. Pricing of Unbundled Network Elements

15. Section 252(d)(1) provides that a state commission's determination of the just and reasonable rates for network elements must be nondiscriminatory, based on the cost of providing the network elements, and may include a reasonable profit.[47] Pursuant to this statutory mandate, the Commission has determined that prices for unbundled network elements (UNEs) must be based on the total element long run incremental cost (TELRIC) of providing those elements.[48]

16. Although the U.S. Court of Appeals for the Eighth Circuit stayed the Commission's pricing rules in 1996 and vacated them in 1997,[49] the U.S. Supreme Court restored the Commission's pricing authority on January 25, 1999, and remanded to the Eighth Circuit for consideration of the merits of the challenged rules.[50] On remand, the Eighth Circuit concluded that specific Commission pricing rules were contrary to Congressional intent but stayed the issuance of its mandate pending review by the Supreme Court.[51] On May 13, 2002, day 48 of the 90-day application period for this section 271 application, the Supreme Court upheld the Commission's forward-looking pricing methodology in determining the costs of UNEs and

(Continued from previous page)
these new rules, because Verizon filed NJ II prior to the Supreme Court's decision. *See SWBT Texas Order*, 15 FCC Rcd at 18367-68, paras. 28-29 (concluding that, for purposes of evaluating compliance with checklist item 2, we require SWBT to demonstrate that it is currently in compliance with the rules in effect on the date of filing, but do not require SWBT to demonstrate that it complies with rules that become effective during the pendency of its application).

[46] 47 U.S.C. § 251(c)(3).

[47] *Id.* § 252(d)(1).

[48] *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, CC Docket 96-98, First Report and Order, 11 FCC Rcd 15499, 15844-47, paras. 674-79 (1996) (*Local Competition Order*) (subsequent history omitted); 47 C.F.R. §§ 51.501-.515.

[49] *Iowa Utils. Bd. v. FCC*, 120 F.3d 753, 800, 804, 805-06 (8th Cir. 1997).

[50] *AT&T Corp. v. Iowa Utils. Bd.*, 525 U.S. 366 (1999). In reaching its decision, the Court acknowledged that section 201(b) "explicitly grants the FCC jurisdiction to make rules governing matters to which the 1996 Act applies." *Id.* at 380. The Court determined that section 251(d) provides evidence of an express jurisdictional grant by requiring that "the Commission shall complete all actions necessary to establish regulations to implement the requirements of this section." *Id.* at 382. The pricing provisions implemented under the Commission's rulemaking authority, according to the Court, do not inhibit the establishment of rates by the states. The Court concluded that the Commission has jurisdiction to design a pricing methodology to facilitate local competition under the 1996 Act, including pricing for interconnection and unbundled access, as "[i]t is the States that will apply those standards and implement that methodology, determining the concrete result in particular circumstances." *Id.* at 384.

[51] *Iowa Utils. Bd. v. FCC*, 219 F.3d 744 (8th Cir. 2000), *cert. granted sub nom. Verizon Communications, Inc. v. FCC*, 531 U.S. 1124 (2001) (argued Oct. 10, 2001). *See also Iowa Utils. Bd. v. FCC*, No. 96-3321, slip op. (8th Cir. Sept. 25, 2000).

"reverse[d] the Eighth Circuit's judgment insofar as it invalidated TELRIC as a method for setting rates under the Act."[52] Accordingly, the Commission's rules have been in effect throughout the pendency of this application.

17. In applying the Commission's TELRIC pricing principles in this application, we note that different states may reach different results that are each within the range of what a reasonable application of TELRIC would produce. Accordingly, an input rejected elsewhere might be reasonable under the specific circumstances here. We do not conduct a *de novo* review of a state's pricing determinations.[53] We will, however, reject an application if "basic TELRIC principles are violated or the state commission makes clear errors in factual findings on matters so substantial that the end result falls outside the range that the reasonable application of TELRIC principles would produce."[54]

18. Based on the evidence in the record before us for this application, we find that Verizon's UNE rates in New Jersey are just, reasonable, and nondiscriminatory, and are based on cost plus a reasonable profit as required by section 252(d)(1). Thus, Verizon's UNE rates in New Jersey satisfy checklist item two.

a. Background

19. By Generic Order dated December 2, 1997, the New Jersey Board originally set rates for various unbundled network elements.[55] Consistent with its statement in the Generic Order that it would regularly monitor Verizon's New Jersey UNE rates, the New Jersey Board announced on June 1, 2000, that it would commence a new UNE rate proceeding.[56]

20. Various parties challenged the Generic Order. On June 6, 2000, five days after the New Jersey Board announced the new cost proceeding, a federal district court judge affirmed in part, reversed in part, and remanded in part the Generic Order.[57] On remand, the New Jersey Board commenced the new cost docket to address not only the remanded issues but also all

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[52] *Verizon Communications Inc. v. FCC*, __ U.S. ___; 122 S.Ct. 1646, 1679 (2002).

[53] *Verizon Pennsylvania Order*, 16 FCC Rcd at 17453, para. 55 (citations omitted). *See also Sprint v. FCC*, 274 F.3d at 556 ("When the Commission adjudicates § 271 applications, it does not – and cannot – conduct *de novo* review of state rate-setting determinations. Instead, it makes a general assessment of compliance with TELRIC principles.").

[54] *Verizon Pennsylvania Order*, 16 FCC Rcd at 17453, para. 55.

[55] The new cost docket was captioned *Investigation Regarding Local Exchange Competition for Telecommunications Services*, Docket No. TX95120631 (Dec. 2, 1997) (*Generic Order* or *New Jersey BPU Generic UNE Order*).

[56] *Review of Unbundled Network Elements, Rates, Terms, and Conditions of Bell Atlantic New Jersey, Inc.* (Docket No. TO00060356).

[57] *AT&T v. Bell Atlantic-New Jersey, Inc.*, No. 97-5762 (KSH), slip op. at 2 (June 6, 2000) (unpublished opinion).

applicable FCC orders issued since 1997.[58] The proceeding covered the entire array of UNE rates and included 17 days of hearings over 15 weeks, 26 expert witnesses, over 265 exhibits, and more than 3900 pages of transcripts.[59] Parties filed extensive initial and reply briefs on June 18 and July 13, 2001, respectively.[60]

21. The new UNE rate proceeding concluded at the November 20, 2001 agenda meeting of the New Jersey Board. At that time, the New Jersey Board approved rates for certain recurring and non-recurring elements and adopted inputs and assumptions for all other rate elements.[61] The New Jersey Board also directed Verizon to re-run certain cost models to reflect Board- established inputs and assumptions.[62] In filings dated December 3 and 10, 2001, Verizon submitted the results of those cost model re-runs. One week later, on December 17, 2001, the New Jersey Board issued its Summary Order memorializing the decisions announced at the November 20, 2001 agenda meeting. The Summary Order stated that "[a] final Order will be issued in this matter fully setting forth the Board's analysis of the issues, the positions of the parties, and the reasoning underlying the Board's determinations."[63]

22. On December 20, 2001, before a final order had been issued, Verizon filed its first application to provide interLATA service in New Jersey.[64] The New Jersey Board issued a lengthy Consultative Report on January 14, 2002, which recommended that the Commission approve Verizon's NJ I application.[65] The Department of Justice filed its evaluation of the NJ I application on January 28, 2002, concluding that Verizon's "reduced recurring rates appear to be generally within the broad range of TELRIC previously described by the FCC" in other states.[66] The Department of Justice cautioned, however, that "the non-recurring charges for 'hot cuts' seem to have been increased so that they are now significantly higher in New Jersey than in New York or Pennsylvania."[67] Noting that Verizon provided "[n]o justification for this difference in

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58 *Board's Review of Unbundled Rates, Terms, and Conditions of Bell Atlantic New Jersey, Inc.*, Docket No. TO00060356, Telecommunications Summary Order of Approval at 1 (rel. Nov. 20, 2001) (Summary Order or *New Jersey BPU Summary Order*).

59 *Id.*

60 *Id.*

61 *Id.*

62 *Id.*

63 *Id.* at 2.

64 *See* Verizon NJ I Application.

65 New Jersey Board NJ I Comments at 1.

66 Department of Justice NJ I Evaluation at 7 and n.27 (noting that the New York Commission voted on January 23, 2002, to approve significant reductions in its UNE prices).

67 *Id.* at 7. A "hot cut" is the process of converting a customer from one network, usually the incumbent LEC's, to a UNE-loop served by another carrier. The hot cut process is discussed below in Section III.B.1.c.

the [then-]current record," the Department of Justice stated that it would "rely upon the Commission for its ultimate determination of whether the prices supporting this application are appropriately cost-based."[68]

23. On March 6, 2002, day 76 of the NJ I application, the New Jersey Board released its Final UNE Rate Order.[69] The New Jersey Board filed that order with this Commission, and, on March 8, 2002, we issued a public notice asking for expedited comment on it.[70] On March 19, 2002, day 89 of the NJ I application, Verizon notified the Commission that it was withdrawing its application as a result of "process concerns" that were raised with respect to the non-recurring charge for performing a hot cut.[71] The next day, Verizon informed the New Jersey Board that, effective immediately, it would reduce the effective hot cut rate in New Jersey to the same level – $35 – that was recently made effective in New York.[72]

24. On March 26, 2002, Verizon filed its second application to provide interLATA service in New Jersey.[73] Both the Department of Justice and the New Jersey Board recommended approval of the NJ II application,[74] although the Department of Justice stated that "the Commission should also assure itself that Verizon's commitment [to provide new, lower hot cut rates] will remain in place for a sufficient time to allow competitive entry."[75] Commenters, however, were not supportive of the NJ II application. They reiterated pricing concerns from the NJ I application and also raised new pricing issues. In analyzing these issues and consistent with prior section 271 orders, our discussion is divided into two groups – recurring charges and non-recurring charges.[76]

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[68] *Id.* at 7-8 (citations and quotation marks omitted).

[69] *New Jersey BPU Final UNE Rate Order.*

[70] *Comments Requested in Connection With Verizon's Section 271 Application for New Jersey*, CC Docket No. 01-347, Public Notice, DA 02-580 (March 8, 2002).

[71] Letter from Michael E. Glover, Senior Vice President, Verizon, to William Caton, Acting Secretary, Federal Communications Commission, CC Docket No. 01-347 (filed March 19, 2002).

[72] *See* Verizon NJ II Application at 16.

[73] *See id.* at 1-19.

[74] New Jersey BPU NJ II Comments at 1-2; Department of Justice NJ II Evaluation at 9-10.

[75] Department of Justice NJ II Evaluation at 5.

[76] *See, e.g., SWBT Arkansas/Missouri Order*, 16 FCC Rcd at 20741-56, paras. 48-75.

b. Recurring Charges

(i) Loop Rates

25. WorldCom contends that the New Jersey Board incorrectly approved Verizon's fiber/copper feeder and fill factor percentages.[77] After reviewing the record, we conclude that the New Jersey Board's decisions are consistent with our TELRIC principles.

26. *Fiber and Copper Feeder.* WorldCom disagrees with Verizon's assumption that 60 percent of feeder will be served on fiber cable with integrated digital loop carrier (IDLC) and that the remaining 40 percent served on copper feeder.[78] Copper feeder could be cheaper, WorldCom suggests, proposing the use of 30 percent fiber feeder and 70 percent copper feeder.[79]

27. The New Jersey Board considered this very issue and approved Verizon's 60/40 split between fiber and copper feeder.[80] WorldCom submits no evidence, however, demonstrating that the New Jersey Board erred approving the use of less than 70 percent copper. In prior section 271 orders, we have approved the use of less copper feeder than the 40 percent adopted by the New Jersey Board.[81] In short, WorldCom presents no arguments or evidence that would cause us to find that these assumptions are inconsistent with TELRIC principles as applied to Verizon in New Jersey.

28. In addition, WorldCom's argument amounts to mere speculation that "copper feeder *may* be cheaper" and that Verizon's use of 60 percent fiber feeder "*appears* to result in higher costs."[82] Such conjecture, especially when viewed against the backdrop of the New Jersey Board's consideration of the precise issue, is not persuasive. We thus reject WorldCom's argument that the use of 60 percent fiber feeder is improper.

29. *Fill Factors.* WorldCom also claims that the New Jersey Board approved unreasonably low fill factors for fiber and copper cable, which allegedly results in overstated loop costs.[83] For distribution cable, the New Jersey Board approved a 53 percent fill factor.

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[77] WorldCom NJ I Comments at 12-13. In its NJ II comments, WorldCom incorporated by reference its comments from NJ I. *See* WorldCom NJ II Comments at i.

[78] WorldCom NJ I Comments, Tab B, Declaration of Chris Frentrup (WorldCom NJ I Frentrup Decl.), at para. 19

[79] *Id.*

[80] *New Jersey BPU Final UNE Rate Order* at 65-72; *New Jersey BPU Summary Order* at 6.

[81] We have previously approved the use of 100% fiber feeder. *See Verizon Pennsylvania Order*, 16 FCC Rcd at 17455-56, para. 59; *Bell Atlantic New York Order*, 15 FCC Rcd at 4086-87, paras. 248-49. *See also AT&T v. FCC*, 220 F.3d at 618-19.

[82] WorldCom NJ I Frentrup Decl. at para. 19 (emphasis added).

[83] *Id.* at para. 20.

WorldCom points out that the model developed by the Commission to determine entitlement to universal service support, the Synthesis Model,[84] assumes a 75 percent cable fill for all but one density zone.[85] For copper feeder, New Jersey Board approved a 75 percent fill factor, and the Synthesis Model assumes an 82.5 percent fill factor for all but one density zone.[86] WorldCom also states that New Jersey Board approved a 77.5 percent fill factor for fiber feeder, compared to 100 percent assumed in all zones in the Synthesis Model.[87]

30. The New Jersey Board specifically addressed this issue in the Final UNE Rate Order,[88] revising Verizon's proposed fill factors upward after considering all the evidence. According to the New Jersey Board, "[t]he revision to both the copper feeder and fiber feeder fill factors is based upon a calculation of the mid-point between Verizon's actual fill level and the relief point for feeder," a calculation that is "consistent with Verizon's mid-point calculation for loop electronics."[89] The 53 percent for distribution cable was derived from the NJDRA's own analysis, "which calculated the mid-point between embedded fill and objective fill as detailed in Verizon's engineering studies."[90]

31. WorldCom does not contend that the New Jersey Board's fill factor calculation methodology was improper or invalid -- only that the fill factors fall toward the low end of the ranges approved in the Synthesis Model.[91] We reject WorldCom's argument that the generic values that the Commission used in the Synthesis Model are the only appropriate fill factors for New Jersey. First, these values might or might not be appropriate in New Jersey, but that is a fact-intensive, state-specific determination that should be made, in the first instance, by the New Jersey Board. Second, as the Commission has stated in prior section 271 orders,[92] the Synthesis

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[84] *Federal-State Joint Board on Universal Service: Forward-Looking Mechanism for High Cost Support for Non-Rural LECs*, CC Docket 96-45, Tenth Report and Order, 14 FCC Rcd 20156, 20166-68, paras. 17-20 (rel. Nov. 2, 1999) (*USF Tenth Report and Order*).

[85] WorldCom NJ I Frentrup Decl. at para. 20.

[86] *Id.*

[87] *Id.*

[88] *New Jersey BPU Final UNE Rate Order* at 83-85 (distribution); 85-86 (copper feeder); 86 (fiber feeder). *See also New Jersey BPU Summary Order* at 4-5.

[89] *New Jersey BPU Summary Order* at 5. *See also New Jersey BPU Final UNE Rate Order* at 85 (noting that Verizon's feeder distribution levels represent "the mid-point between the actual fill levels and the level at which the facility would be required to be relieved under Verizon NJ's engineering guidelines").

[90] *New Jersey BPU Summary Order* at 5. *See also New Jersey BPU Final UNE Rate Order* at 84.

[91] WorldCom NJ I Comments at 13. In the *USF Tenth Report and Order*, the Commission identified the following ranges for fill factors, depending on density zone: feeder (77%-82.5%); distribution (50%-75%). *USF Tenth Report and Order*, 14 FCC Rcd at 20369, App. A.

[92] *Bell Atlantic New York Order*, 15 FCC Rcd at 4085, para. 245; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6277, para. 84.

Model was developed for the very different purpose of determining high cost support; it may not be appropriate for other purposes.[93] In any event, the Board-approved fill factors are not inconsistent with those that the Commission has approved in prior section 271 orders,[94] and we find no TELRIC errors in the New Jersey Board's analysis of Verizon's fill factors.

(ii) Switching Rates

32. Commenters make four switching arguments. They contend that Verizon improperly double-charges for intra-switch calls. They also argue that Verizon's vertical feature costs should be recovered on a flat-rated basis as part of the line port charge, not on a per minute-of-use (MOU) basis as part of the end office switch usage charge.[95] In addition, they claim that the New Jersey Board improperly approved Verizon's switch vendor discounts. Finally, they argue that Verizon improperly disregards switch usage on weekends and holidays in calculating a switching rate.

33. In addition, WorldCom argues that these TELRIC errors cannot be surmounted by means of a benchmark analysis to switching rates in New York. According to WorldCom, as an initial matter, it is inappropriate to consider switching rates aggregated with signaling and transport for the purpose of a benchmark analysis. WorldCom argues that Verizon's switching rates do not pass a benchmark comparison with New York's switching rates when signaling and transport are removed from the comparison. WorldCom also challenges Verizon's use of state-specific traffic data in a benchmark comparison, arguing instead that a standard set of demand

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[93] *See USF Tenth Report and Order*, 14 FCC Rcd at 20172, para. 32 (stating that "it may not be appropriate to use nationwide values for other purposes, such as determining prices for unbundled network elements," and cautioning "parties from making any claims in other proceedings based upon the input values" in the *USF Tenth Report and Order*), 20369, App. A (listing values).

[94] *BellSouth Louisiana/Georgia Order* at paras. 66-70 (approving 48% fill factor for distribution cable, 69.5% fill factor for copper feeder, and 74% fill factor for fiber feeder in Georgia); *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6275-76, para. 80 (53% fill factor for distribution cable); *Verizon Massachusetts Order*, 16 FCC Rcd at 9007, para. 39 (40% fill factor for distribution cable); *Bell Atlantic New York Order* (50% fill factor for distribution cable) (discussed in *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6276, para. 80).

[95] AT&T argues that Verizon's recovery of vertical feature costs through switching rates, together with other alleged TELRIC errors, overstates switching rates by 149%. *See* Letter from David L. Lawson, counsel for AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, at 1 (June 18, 2002) (AT&T NJ II June 18 *Ex Parte* Letter); Letter from David L. Lawson, counsel for AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67, at 2 (filed April 30, 2002) (AT&T NJ II April 30 *Ex Parte* Letter). Verizon responds that AT&T improperly excluded engineering, furnishing, and installing costs and wrongly excluded non-conversation time minutes in calculating the 149% figure. Letter from Clint E. Odom, Director, Federal Regulatory, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67, at 4 (filed June 7, 2002) (Verizon NJ II June 7 *Ex Parte* Letter). *See* also Letter from Clint E. Odom, Director, Federal Regulatory, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67 (filed June 21, 2002). We need not resolve this dispute. As discussed below, we find no TELRIC error in the New Jersey Board's approval of Verizon's method for recovering vertical feature costs. In any event, because we conclude that Verizon's non-loop rates pass a benchmark comparison with New York's non-loop rates, we need not address the merits of AT&T's allegation.

assumptions should be used. In any event, WorldCom contends that the Act does not allow the Commission to perform an aggregated benchmark analysis in the first instance, claiming that each network element must be assessed separately from other elements.

34. Before addressing WorldCom's claims concerning the benchmark analysis, we discuss the four switching arguments summarized above. We then perform a benchmark analysis of non-loop rates in New Jersey and New York and conclude that Verizon's non-loop rates in New Jersey pass such an analysis.

35. *Intra-switch Calls.* The NJDRA and WorldCom allege that Verizon improperly "double charges" for calls that both originate and terminate on the same switch.[96] The commenters claim that Verizon should be allowed to charge only once for such intra-switch calls.

36. Verizon acknowledges that it charges both an originating and terminating charge for all calls, whether intra- or inter-switch.[97] Every call involves originating and terminating activity, Verizon argues, regardless of how many switches are involved in the call.[98] Costs are incurred for both types of activities, and Verizon therefore concludes that it is entirely appropriate to charge the originating rate and the terminating rate for each minute on an intra-switch call.[99]

37. Verizon's methodology is not inconsistent with our handling of this issue in prior applications. In the *Vermont Order*, for example, we noted that state commissions have reached different conclusions on whether to allow the BOC to charge on both originating and terminating MOU on intra-switch calls.[100] Thus, we have not previously concluded that TELRIC dictates a particular result on this issue.

38. In addition, commenters provide no evidence that, in connection with an intra-switch call, Verizon charges originating and terminating functions in a manner inconsistent with how Verizon developed the charges for such functions. For example, if Verizon charged competitors two MOU for every minute of intra-switch call use, but the switching rate had been calculated by treating such calls as consisting of one MOU for every minute of intra-switch call use, then Verizon's intra-switch call practice might well violate TELRIC principles. This is because Verizon would be imposing a per-minute switching price that was calculated based on an inaccurate demand estimate. TELRIC requires that UNE rates "recover costs in a manner that

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[96] *E.g.*, WorldCom NJ I Frentrup Decl. at para. 14; NJDRA NJ I Comments at 24. The NJDRA incorporated by reference its NJ I comments in NJ II. *See* NJDRA NJ II Comments at 2 n.2.

[97] Verizon NJ I Reply Comments, Tab D, Reply Declaration of Patrick A. Garzillo and Marsha S. Prosini (Verizon NJ I Garzillo/Prosini Reply Decl.), at para. 10.

[98] *Id.*

[99] *Id.*

[100] *Verizon Vermont Order* at para. 32 and n.106.

reflects the way they are incurred."[101] No commenter argues that the manner in which Verizon developed its switching rates is inconsistent with the manner in which Verizon imposes these rates. We therefore reject commenters' claims that charging both an originating and a terminating rate for every call, regardless of the number of switches involved, is by itself inappropriate or a violation of TELRIC.

39. *Vertical Features.* WorldCom and AT&T also challenge Verizon's inclusion of vertical features in the switching rate.[102] They argue that non-usage-sensitive elements, such as vertical features, should be included with the port charge and not charged on a per-minute basis.[103] We find no TELRIC error in the New Jersey Board's handling of this issue.

40. While Verizon concedes that both the New York and Pennsylvania commissions directed that vertical features be recovered as part of the port charge -- which is consistent with commenters' views -- Verizon also contends that the New Jersey Board validly directed Verizon to recover vertical feature costs through the per-MOU switching rate.[104] Verizon argues that there is no requirement that vertical feature costs be recovered in the port rate.[105] We agree that there is no such requirement.

41. As an initial matter, we note that, while we have approved section 271 applications in states that allow for recovery of vertical features through the port charges, we have never established that this is the only TELRIC-compliant method for doing so. Indeed, were we to accept WorldCom's and AT&T's arguments, we would establish a requirement that conflicts with the Commission's UNE rate structure rules. These rules provide that the costs of dedicated facilities shall be recovered through flat-rated charges[106] and that the costs of shared facilities shall be recovered through either usage-sensitive charges or flat-rated charges "if the state commission finds that such rates reasonably reflect the costs imposed by the various users."[107] In the *Local Competition Order*, we recognized that it is appropriate to recover the costs of shared facilities from customers sharing the facility through either usage-sensitive or flat-rated charges.[108] The Commission's rules also provide that local switching costs shall be

[101] *Local Competition Order*, 11 FCC Rcd at 15874, para. 743.

[102] WorldCom NJ I Comments at 10; AT&T NJ I Comments at 15. AT&T incorporated by reference its NJ I comments in NJ II. *See* AT&T NJ II Comments at 1 n.1.

[103] *See* WorldCom NJ I Frentrup Decl. at para. 13; AT&T NJ I Comments at 15 and n.8.

[104] Verizon NJ I Garzillo/Prosini Reply Decl. at para. 12.

[105] *Id*; Letter from Clint E. Odom, Director, Federal Regulatory, Verizon, to William F. Caton, Acting Secretary, Federal Communications Commission, CC Docket No. 01-347, at 1-2 (Feb. 20, 2002) (Verizon NJ I Feb. 20 *Ex Parte* Letter).

[106] 47 C.F.R. § 51.507(b).

[107] *Id.* § 51.507(c).

[108] *Local Competition Order*, 11 FCC Rcd at 15878, paras. 755, 757, 810.

recovered through a combination of a flat-rated charge for line ports, which are dedicated facilities, and one or more flat-rated or per-minute usage charges for the switching matrix and trunk port, which are shared facilities.[109] In this respect, no commenter has stated that vertical features are provided over wholly dedicated facilities, nor have they provided evidence that the per-minute charge is inconsistent with the manner in which costs are incurred. Under our rules, the New Jersey Board could have properly directed Verizon to recover the costs of vertical features as part of flat-rated port charges, split the costs between the flat and per-minute switch elements, or recover the costs through the per-minute charge. The New Jersey Board's decision to allow the recovery of such costs in the per-minute switching rate fully complies with our rate structure rules. We find no TELRIC error in the New Jersey Board's handling of the vertical features costs issue.

42. *Switch Discounts.* WorldCom also claims that Verizon has overstated its switching costs by using an inappropriate switch vendor discount.[110] The New Jersey Board directed Verizon to compute its switching costs as if 79.4 percent of the switches would receive the discount for purchases of new switches and 20.6 percent would receive the discount for purchases of growth switches.[111] WorldCom contends that, in the Universal Service proceeding, the Commission determined that the appropriate discount for TELRIC purposes was the discount for purchases of 100 percent new switches.[112]

43. We do not agree with WorldCom that Verizon should be required to assume 100 percent new switches. First, we have not previously required LECs to make such an assumption. In past section 271 orders, we have approved switching rates calculated on the basis of a mix of new and growth switches discounts.[113] Second, WorldCom does not argue that, under the specific facts in New Jersey, a different split of new to growth discounts would be more appropriate. It asserts simply that only new switch discounts are appropriate. We reject this position. A state commission may take into account that there will be growth in a network in the future and that it may not be cost-effective to acquire all of the projected switching capacity needed over the life of the switch at the outset. Finally, we conclude that this issue is a fact-specific inquiry amenable in the first instance to determination by the state commissions; it is not a bright-line rule. We have been presented with no evidence or rationale, beyond bare assertions, that would persuade us that the split chosen by the New Jersey Board amounts to a TELRIC error.

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[109] *Id.* at para. 810; 47 C.F.R. § 51.509(b).

[110] WorldCom NJ I Frentrup Decl. at para. 15.

[111] *New Jersey BPU Summary Order* at 8.

[112] WorldCom NJ I Frentrup Decl. at para. 15 (citing *USF Tenth Report and* Order, 14 FCC Rcd at 20289-90, para. 317).

[113] *BellSouth Georgia/Louisiana Order* at paras. 78-83; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6274-75, para. 77; *Verizon Massachusetts Order*, 16 FCC Rcd at 9004-05, para. 33. Switch vendors often provide a greater discount for new switches and smaller discounts for growth of existing switches.

44. In addition, we have stated that inputs used in our Synthesis Model are not binding on states for determining prices for UNEs.[114] We are satisfied that the New Jersey Board carefully evaluated this issue, properly rejected Verizon's proposed use of 100 percent growth switches, and validly established what it considered to be more appropriate and state-specific switching discounts.[115] Accordingly, we reject WorldCom's argument.

45. *Switching Rate Calculation.* WorldCom contends that Verizon improperly calculates its switching cost by dividing by minutes associated with only 251 business days in a calendar year.[116] Switching costs would decrease by 18.5 percent or more, according to WorldCom, if Verizon assumed that usage on non-peak days is even half the level of usage on peak days.[117] WorldCom argues that we should require Verizon to reflect usage on all days or offer free switching usage during off-peak periods.[118]

46. Verizon's switching model recognizes that switches must be designed to meet the capacity requirements of the busiest hour of each day.[119] This "busy hour" determination, according to Verizon, is relevant in both sizing the switch and determining the manner in which costs should be spread among users.[120] The Verizon switching cost study develops a busy hour-to-day-usage ratio (BHDR), which Verizon uses as a basis to spread the investment over annual usage.[121] The New Jersey Board approved Verizon's switching cost study after directing Verizon "to re-run its switching model using the Board-approved inputs."[122] WorldCom argues that Verizon should use more than 251 days in calculating switching cost.

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[114] *Bell Atlantic New York Order*, 15 FCC Rcd at 4085, para. 245 ("[The] federal cost model was developed for the purpose of determining federal universal service support, and it may not be appropriate to use nationwide values for other purposes, such as determining prices for unbundled network elements. We specifically cautioned parties from making any claims in any other proceedings based on the inputs adopted in the *Universal Service Tenth Report and Order*."); *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6277, para. 84.

[115] *New Jersey BPU Summary Order* at 8.

[116] WorldCom NJ I Comments at 9-10; WorldCom NJ II Comments at 6-8.

[117] WorldCom NJ I Comments at 10; WorldCom NJ I Frentrup Decl. at para. 12. *See also* WorldCom NJ I Reply Comments at 4.

[118] WorldCom NJ I Frentrup Decl. at para. 12.

[119] Verizon NJ I Garzillo/Prosini Reply Decl. at para. 14.

[120] *Id.* The cost study develops a "busy-hour"-usage-to-annual-usage ratio (BHAR). *Id. See also* Letter from Clint E. Odom, Director, Federal Regulatory, Verizon, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67, at 1 (filed June 20, 2002) (Verizon NJ II June 20 *Ex Parte* Letter) ("[T]he BHAR is one of several different inputs that are used to develop the current switching costs.").

[121] *Id.*

[122] *New Jersey BPU Summary Order* at 9.

47. Verizon contends that, while its use of busy hour minutes allows for proper switch sizing, these minutes exceed those passing through the switch during all non-busy hours of the week and weekend. Verizon also shows that switching prices would increase if it used 270 days with a BHDR of ten percent,[123] instead of 251 days with a BHDR of roughly 7.5 percent, which it says is based on actual usage data in New Jersey.[124] Verizon chose the 10 percent BHDR for purpose of this comparison because that is allegedly an input that WorldCom and AT&T have advocated in other comparable proceedings.[125]

48. In confronting the same issue, the New York commission approved 308 days.[126] In our view, provided that an incumbent LEC's methodology is reasonable and consistent, TELRIC does not by itself dictate the use of a particular number of days, whether 308, 251, or some other number. The record raises serious questions concerning Verizon's use of 251 days in conjunction with the other inputs in Verizon's model and how the rates are applied. We need not resolve this dispute concerning appropriate modeling inputs. As we show below, even if the New Jersey Board erred in approving Verizon's use of 251 days together with other inputs, Verizon's non-loop rates in New Jersey pass a benchmark comparison to Verizon's non-loop rates in New York and therefore fall within the range that reasonable application of TELRIC principles would produce.

49. *Benchmark Analysis.* States have considerable flexibility in setting UNE rates, and certain flaws in a cost study, by themselves, may not result in rates that are outside the reasonable range that correct application of TELRIC principles would produce.[127] The Commission has stated that, when a state commission does not apply TELRIC principles or does so improperly, it will look to rates in other section 271-approved states to see if the applicant's rates nonetheless fall within the range that a reasonable TELRIC-based rate proceeding would produce.[128] To determine whether a comparison is reasonable, the Commission will consider whether the two states have a common BOC; whether the two states have geographic similarities; whether the two states have similar, although not necessarily identical, rate structures for

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[123] Verizon NJ I Feb 20 *Ex Parte* Letter at 4.

[124] *Id.*

[125] *Id.* (claiming that AT&T and WorldCom have argued elsewhere that a BHDR of 0.100 is a recognized industry standard)

[126] New York PSC, *Proceeding on Motion of the Commission To Examine New York Telephone Company's Rates for Unbundled Network Elements*, No. 98-C-1357, Order on Unbundled Network Element Rates at 36-39 (Jan. 28, 2002).

[127] *Verizon Rhode Island Order*, 17 FCC Rcd at 3319-20, para. 37.

[128] *See SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6276, para. 82. As we have already discussed, commenters raise significant issues concerning the propriety of Verizon's use of 251 days to calculate a switching rate. *See* WorldCom NJ II Comments at 6-8. Because we conclude below that Verizon's non-loop rates in New Jersey pass a benchmark comparison to Verizon's non-loop rates in New York, we need not resolve this issue.

comparison purposes; and whether the Commission has already found the rates in the comparison state to be TELRIC-compliant or an appropriate benchmark.[129]

50. In this application, Verizon chooses to rely on a benchmark comparison of its rates in New Jersey to those in New York.[130] We agree that New York is similar to New Jersey in terms of both geography and rate structure, and, significantly, no commenter contends otherwise. In the *Rhode Island Order*, we commended the New York commission for the thoroughness of its recent rate docket and found that New York was an appropriate benchmark state for Rhode Island.[131] In light of that conclusion, our finding that New York and New Jersey share certain similarities, and the absence of any objection from the parties, we find that it is appropriate to rely on New York for our benchmark comparison.[132]

51. In our benchmark analysis of Verizon's non-loop UNE prices, we compare (1) the percentage difference between its New Jersey and New York UNE-platform per-line per-month prices for non-loop rate elements collectively, and (2) the percentage difference between New Jersey and New York per-line per-month costs for these non-loop elements collectively, based on the Synthesis Model.[133] For purposes of this comparison, UNE-platform non-loop rate elements are line port, end office switch usage, common transport (including the tandem switch), and signaling.[134] We develop per-line per-month prices for these elements for New Jersey and New York separately by multiplying the state-approved "rates" by per-line demand estimates. State-approved rates for end office switching and transport are imposed on a MOU basis. We develop the per-line per-month overall demand for these usage-sensitive rate elements for New Jersey and New York separately by first dividing total state-specific switched access lines into state-specific

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[129] *See Verizon Rhode Island Order*, 17 FCC Rcd at 3320, para. 38; *SWBT Arkansas/Missouri Order*, 16 FCC Rcd at 20746, para. 56; *Verizon Pennsylvania Order*, 16 FCC Rcd at 17457, para. 63. In the *Pennsylvania Order*, we found that several of the criteria should be treated as indicia of the reasonableness of the comparison. *Verizon Pennsylvania Order*, 16 FCC Rcd at 17457, para. 64. *See also Verizon Massachusetts Order*, 16 FCC Rcd at 9002, para. 28; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6276, para. 82.

[130] Verizon does not concede that the New Jersey Board made TELRIC errors. Verizon NJ II Application at 6-7.

[131] *Verizon Rhode Island Order*, 17 FCC Rcd at 3324-27, paras. 48-53.

[132] *See also id.* at 3326-27, para. 53 (finding that New York is a reasonable benchmark state). Verizon and other BOCs may also demonstrate the propriety of their rates resulting from a state rate proceeding that correctly applies TELRIC principles without regard to any benchmark analysis.

[133] We adjust the costs derived from the Synthesis Model to make them comparable to UNE-platform costs. *See Verizon Pennsylvania Order*, 16 FCC Rcd at 17458, para. 65 n.249. We benchmark non-loop rates apart from loop rates. *See, e.g., id.* at 17458, para. 66; *Verizon Massachusetts Order*, 16 FCC Rcd at 9000-02, paras. 23-27.

[134] We also note that Verizon's New York non-loop rates contain both a digital and an analog port rate. For purposes of our benchmark analysis, we have used Verizon's New York digital port rate of $2.57, rather than the analog port rate of $4.22, or any blend of the two rates. The New York rate structure uses the digital port rate of $2.57 as the rate charged for ports that are purchased as part of the UNE-platform.

total annual MOU, based on dial equipment minutes (DEM),[135] divided by 12 months.[136] We then apply to each of the usage sensitive rate elements a percentage of this overall demand that is based on state-specific traffic assumptions supplied by Verizon regarding originating versus terminating, local intra-switch versus inter-switch, and tandem-routed versus direct-routed MOU.[137]

52. We reject WorldCom's contention that Verizon's rates fail a benchmark comparison with New York rates if switching rates (port and end office usage) are considered separately from transport rates.[138] While we believe that aggregating per-minute switching with other non-loop rates such as port, signaling, and transport rates appropriately accounts for, among other things, rate structure differences between states, we need not resolve our disagreement with WorldCom here. Even under WorldCom's approach, we find that Verizon's New Jersey switching rates pass a benchmark comparison to those in New York. Specifically, we find that switching costs in New Jersey, as derived from the Synthesis Model, are roughly four percent higher than those in New York and that New Jersey switching prices are roughly the same as those in New York.[139] For purposes of this comparison, we included line and trunk ports because these assets are part of the end office switch. We included signaling in this analysis because signaling costs are recovered in the end office usage switching rates in New Jersey while they are recovered in a separate signaling rate element in New York. WorldCom's approach does not account for this rate structure difference. In addition, signaling prices and costs are typically a small fraction of the combined price and cost for line and trunk ports, end office switch usage, and signaling. In New York, for example, signaling prices are approximately only one percent of the combined price for line and trunk ports, end office switch usage, and signaling.

53. We also disagree with Worldcom that, in this application, we should use standardized MOU and traffic assumptions (*i.e.*, demand assumptions) as opposed to state-specific demand assumptions to develop per-line per-month prices as part of the benchmark

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[135] 47 C.F.R. § 36.125(a)(3) (defining DEM as "the minutes of holding time of the originating and terminating local switching equipment").

[136] In New Jersey, the common transport rate is imposed per-MOU per-mile. The demand we apply to the rate for this element reflects common transport MOU per-line per month multiplied by average common transport mileage. We use Verizon's estimate for common transport mileage for this calculation. *See* Verizon NJ II Application, App. B, Supplemental Declaration of Patrick A. Garzillo and Marsha S. Prosini (Verizon NJ II Garzillo/Prosini Supp. Decl.), Attach. 9.

[137] *See* Verizon NJ II Garzillo/Prosini Supp. Decl. at Attach. 9; Verizon NJ II May 2 *Ex Parte* Letter. For local calls, we use a local terminating switching rate of $0.001885 per minute in our benchmark analysis, and, for access calls, we use a terminating switching rate of $0.002508 per minute. *See* Verizon NJ I Feb. 28 *Ex Parte* Letter; Letter from Clint E. Odom, Director, Federal Regulatory, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67 (filed April 29, 2002) (Verizon NJ II April 29 *Ex Parte* Letter).

[138] *See* WorldCom NJ II Comments at 5-6.

[139] The price difference that we calculate is based on state-specific DEM and state-specific traffic assumptions.

analysis.[140] Under the Commission's TELRIC rules, the formula for a UNE rate is total cost divided by total demand.[141] UNE rates are set by state commissions based on state-specific costs and demand. The UNE rates therefore necessarily reflect state-specific MOU and traffic assumptions. Use of state-specific MOU per-line and traffic assumptions to develop per-line per-month UNE-platform prices for a benchmark state and an applicant state is therefore consistent with the manner in which states establish the UNE-platform rates. In addition, we note that the purpose of TELRIC is to determine the total costs and total demand for the incumbent LEC's entire local exchange network.[142] Per-unit TELRIC prices reflecting all of these costs and demand would, if imposed on all incumbent LEC's subscribers, precisely allow for total cost recovery. We also similarly reject WorldCom's argument that it is inappropriate to use lower demand figures for New Jersey than New York in making our comparison, based on the lower actual usage in New Jersey. To the extent that switch costs are appropriately recovered through per-minute rates, a state with lower usage will require higher per-minute rates. Our analysis captures this effect. While we conclude that it is reasonable to use state-specific demand assumptions in this application, we note that use of the standardized demand assumptions in the *Pennsylvania Order* may also be reasonable depending on the particular section 271 application under review.[143] The absence of valid state-specific demand data, for example, might be a reason to use the Commission's standardized demand assumptions.

54. We also reject WorldCom's argument that, in the benchmark analysis, we should use the MOU of any particular competitive LEC's typical customer.[144] We develop the per-MOU per-line per-month numbers from total incumbent LEC DEM and total incumbent LEC switched access lines. These numbers represent the typical or average LEC customer's demand in a given service area for both the incumbent and competitive LECs.[145] We use this demand for several

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[140] WorldCom NJ II Comments at 3.

[141] *Local Competition Order*, 11 FCC Rcd at 15847, para. 682.

[142] *Id.*

[143] *Verizon Pennsylvania Order*, 16 FCC Rcd at 17458, para. 67 n.252.

[144] WorldCom NJ II Comments at 2-6.

[145] The DEM that we use for Verizon in the benchmark analysis include all MOU for retail lines, resale lines, official lines (*i.e.*, lines used for Verizon's internal purposes), and UNE-platform lines. The switched access lines that we use also include these lines. *See* Letter from Clint E. Odom, Director, Federal Regulatory, Verizon, to Marlene Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67 (filed May 2, 2002) (Verizon NJ II May 2 *Ex Parte* Letter). WorldCom states that "Verizon calculates a significantly lower level of usage per line in New York than WorldCom's actual residential experience [because] its usage levels include business, public retail, resale and UNE-P lines along with residential lines." WorldCom NJ II Comments, Declaration of Vijetha Huffman, at para. 5 (filed April 8, 2002) (WorldCom NJ II Huffman Decl.). As discussed above, we conclude that the incumbent LEC's average customer demand provides an appropriate estimate of a potential competitive LEC's customer demand for the broad range of possible competitive LEC marketing strategies. To the extent WorldCom intends this declaration to establish that certain lines should not be included in the calculation of the typical or average customer demand used for benchmark comparisons because they do not reflect potential CLEC customers, we find this evidence does not support the claim. WorldCom has not differentiated such (continued....)

reasons. First, we recognize that any competitive LEC has the opportunity to compete for any of the incumbent LEC's customers. Different competitive LECs may have different marketing strategies, and there is no limit to the number of such strategies. The incumbent LEC's average customer demand, including the demand of competitive LECs using its switches, as developed from total DEM and total switched access lines, fully reflects the diverse demand characteristics of the incumbent LEC's enormous customer base. It therefore provides the single most informed estimate of a potential competitive LEC customer's demand for the broad range of possible competitive LEC marketing strategies. Second, as competitive LECs' market shares grow, we expect that average competitive LEC customer demand will grow to resemble the average incumbent LEC customer's demand. Third, use of the typical customer demand of all customers using the incumbent LEC's switch has the advantage of simplicity. It also does not favor any particular competitive LEC's marketing strategy; some competitive LECs may target high-volume customers, while others may target low-volume customers. Fourth, we apply average incumbent LEC customer demand to usage-sensitive rates in the benchmark analysis because the TELRIC formula from which these rates are developed, *i.e.*, total network cost divided by total network demand, produces average incumbent LEC (forward-looking) cost. Fifth, DEM data is publicly available and easily verifiable. By contrast, in states such as New Jersey, where competitive LEC entry has not been extensive, state-specific competitive LEC MOU data may not be available or may not be large or broad enough to perform a reliable benchmark analysis. Finally, use of state-specific incumbent LEC DEM data is also consistent with our recent benchmark analysis in the *Rhode Island Order*.[146]

55. Having rejected WorldCom's contentions concerning benchmark methodology and having found that New York is an appropriate benchmark state, we find that New Jersey's non-loop rates are roughly six percent lower than New York non-loop rates. We also find that New Jersey non-loop costs are roughly one percent higher than New York non-loop costs, after taking a weighted average of New Jersey and New York costs derived from the Commission's Synthesis Model. Therefore, we conclude that New Jersey's non-loop rates pass a benchmark comparison to New York's non-loop rates and that they therefore satisfy our benchmark analysis and the requirements of checklist item two.

(iii) Daily Usage File Rates

56. The Daily Usage File (DUF) is an optional Verizon billing service that provides files containing records of local and intraLATA toll usage to competitive LECs for timely and accurate billing of services to the end user.[147] AT&T argues that Verizon's DUF rates are inflated

(Continued from previous page)
lines with particularity, established why such lines do not reflect potential CLEC customers, or demonstrated that removal of such lines -- and corresponding DEM data -- would have a measurable effect on the typical or average customer demand used for the benchmark comparison before us in this proceeding.

[146] *Verizon Rhode Island Order*, 17 FCC Rcd at 3327, para. 55 n.149.

[147] *See* AT&T NJ II April 30 *Ex Parte* Letter at 3 n.4.

and do not comply with TELRIC.[148] Specifically, AT&T alleges that Verizon's DUF rate calculation contains a math error that improperly inflates DUF rates.[149] AT&T also alleges that these rates over-recover certain "CLEC Support" labor costs that are spread over a small fraction of the number of messages actually processed within Verizon's system.[150]

57. With respect to the alleged mathematical error, Verizon has recently filed a correction with the New Jersey Board.[151] We therefore reject AT&T's claim concerning this error.

58. In addition, AT&T alleges that Verizon over-recovers the labor costs associated with the 13 employees who provide "CLEC Support."[152] According to AT&T, Verizon recovers such costs once in the expense factors within the annual cost factor (ACF) and again in the DUF rate.[153] Verizon states that it removed the labor costs associated with the Central Billing Organization, which is involved in providing DUF services.[154] Verizon also states that "even if Verizon removed the labor costs for all 13 equivalent workers contained in the DUF study, the Other Support factor would not materially change (0.0446 compared to 0.0447)."[155] Assuming that the labor costs were not removed, as AT&T claims,[156] and that the difference is material, whether Verizon should remove the disputed labor costs from the DUF rate alone or should re-calculate the ACF and all recurring rates affected by this ACF change is, we believe, a local rate design decision for the New Jersey Board in the first instance. In any event, consistent with prior section 271 orders, we conclude that AT&T has presented no evidence that the New Jersey Board

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[148] *Id.* at 3-4. *See also* AT&T NJ II Comments at 11-14.

[149] AT&T NJ II Comments, Exh. A, Declaration of Michael R. Baranowski (AT&T NJ II Baranowski Decl.) at paras. 11-12. AT&T claims that the calculations for Verizon's "DUF Network Data Mover Cost Per Message" contains an error in the calculation of the DASD (DISK) Maintenance component that overstates the costs of that DUF rate component by nearly 100 times. *Id.* at para. 11. *See also* AT&T NJ II April 30 *Ex Parte* Letter at 3.

[150] AT&T also alleges that Verizon fails to justify CLEC support costs reflecting the work of 13 full-time employees and costs for the "Regional CBO Message Demand." *Id.* at paras. 12-14. *See also* AT&T NJ II April 30 *Ex Parte* Letter at 3-4.

[151] *See* Letter from Clint E. Odom, Director, Federal Regulatory, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67, at Attachs. 1 and 2 (filed May 8, 2002) (Verizon NJ II May 8 *Ex Parte* Letter). If AT&T believes that the error has not been corrected, the New Jersey Board is the most appropriate entity to address AT&T's concerns in the first instance.

[152] AT&T NJ II Baranowski Decl. at para. 12.

[153] *Id.*

[154] Verizon NJ II June 7 *Ex Parte* Letter at 5.

[155] Verizon NJ II Reply Comments, Tab D, Supplemental Reply Declaration of Patrick A. Garzillo and Marsha S. Prosini (Verizon NJ II Garzillo/Prosini Reply Decl.) at para. 51.

[156] AT&T NJ II June 18 *Ex Parte* Letter at 5.

did not conform to TELRIC principles "simply because it [allegedly] failed to modify one input into its cost model."[157]

59. We are also not persuaded by AT&T's simple comparison of DUF rates in various states.[158] As AT&T acknowledges, the Commission has not found such comparisons persuasive in the past.[159] AT&T claims, however, that the alleged presence of undocumented labor costs in the DUF rates amounts to a TELRIC error and that such evidence of error warrants our consideration of a comparison in this instance.[160] Consistent with our precedent on this issue, however, we disagree that a state-to-state comparison is appropriate concerning this DUF dispute.[161] Other than AT&T's bare claims, there is no evidence before us suggesting that Verizon's labor costs are not supported or that the New Jersey Board committed any TELRIC error. Absent such evidence, we find that Verizon's DUF rate falls within a reasonable TELRIC range.

60. AT&T did not raise these issues before the New Jersey Board, and it has only recently challenged Verizon's DUF rates in a motion for reconsideration of the Final UNE Rate Order. AT&T's motion is presently pending before the New Jersey Board. The New Jersey Board should have the opportunity to evaluate AT&T's evidence and make any adjustments it finds appropriate. Our deference to the New Jersey Board in this instance is consistent with our treatment of the same issue in the *Vermont Order*.[162] We commend the New Jersey Board's commitment to TELRIC principles, defer to the New Jersey Board's forthcoming resolution of the DUF rate, and find no TELRIC error on the record before us on this issue.[163]

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[157] *Bell Atlantic New York Order*, 15 FCC Rcd at 4085, para. 245. *See also AT&T v. FCC*, 220 F.3d at 617.

[158] AT&T NJ II Reply Comments at 8 and n.10. We note that our benchmark analysis does not extend to DUF rates.

[159] *Id.* at 8 n.9 (citing to *Verizon Vermont Order* at para. 26).

[160] *Id.* at 8.

[161] *See Verizon Vermont Order* at paras. 26, 27.

[162] *Id.* at para. 37. Similarly, in the *Bell Atlantic New York Order*, we deferred to the state's intention to address additional evidence regarding the appropriate switch discount value. *Bell Atlantic New York Order*, 15 FCC Rcd at 4085-86, para. 247. We concluded that the commenter "presented no evidence that the New York Commission's ongoing examination of the switch discount issue betoken[ed] a failure to set TELRIC-compliant rates." *Id.* (quotations and citations omitted). The D.C. Circuit Court of Appeals affirmed our conclusion, finding that "rates may often need adjustment to reflect newly discovered information." *AT&T v. FCC*, 220 F.3d at 617.

[163] AT&T retains the ability to take action pursuant to section 271(d)(6) if AT&T believes that the New Jersey Board ultimately approves a rate that does not comply with our rules. *Cf. Verizon Massachusetts Order*, 16 FCC Rcd at 9003, para. 30.

c. Non-Recurring Charges

61. *"Hot Cut" Charges.* AT&T, ASCENT, the NJDRA, and XO challenge Verizon's "hot cut" charges. A hot cut is the process of converting a customer from one network, usually a UNE-platform served by an incumbent LEC's switch, to a UNE-loop served by another carrier's switch.[164] The "cut" is said to be "hot" because telephone service on the specific customer's loop is interrupted for a brief period of time, usually fewer than five minutes, during the conversion process.[165]

62. On March 6, 2002, the New Jersey Board formally approved Verizon's six hot cut rates in a range of $159.76 to $184.82, depending on the type of hot cut.[166] Effective March 20, 2002, however, Verizon lowered these rates to $35.00 for each type.[167] The reduced rate does not include surcharges for manual order handling, expedited treatment, or premises visits.[168] In announcing the rate change, Verizon initially stated that the lower rate "will be in effect until either the sooner of two years or the Board's final resolution of the AT&T motion regarding hot cut pricing in this proceeding, unless the Board otherwise modifies the rate."[169] On May 8, 2002, Verizon dropped the latter condition so that the $35 hot cut rate in New Jersey is now in effect until at least March 1, 2004.[170]

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[164] Department of Justice NJ I Evaluation at 7 n.28; XO NJ I Comments at 17-18.

[165] XO NJ I Comments at 18.

[166] *New Jersey BPU Final UNE Rate Order*, Attachment (rate sheet). For ease of discussion, we refer to all of Verizon's various New Jersey hot cut rates collectively as the "$159.76 hot cut rate." This shorthand reference to Verizon's hot cut rates has no effect on our substantive analysis.

[167] Verizon NJ II Application at 16; Verizon NJ II Application, App. A, Tab B, Supplemental Declaration of Patrick A. Garzillo and Marsha S. Prosini (Verizon NJ II Garzillo/Prosini Decl.) at para. 4 & attach. 1 (listing the six types of hot cuts: two-wire; four-wire; ADSL/HDSL; DDS/56KD; IDLC to copper; and line port). Verizon derives the $35 hot cut rate by crediting competitors with the difference between $159.76 and $35. Verizon NJ II Garzillo/Prosini Decl., Attach. 1 at 1, 3. The credit does not apply to non-expedited or non-premises visit hot cuts. *Id.* That the $35 credit is only available for non-expedited, non-premises hot cuts does not violate our TELRIC principles. There is no evidence in this record that Verizon may not validly charge more for hot cuts requiring more work or special handling. In any event, the New Jersey Board is currently considering hot cut-related pricing issues in connection with a pending motion for reconsideration, *see* Verizon NJ II Application at 16, and, consistent with our precedent, we defer to the state's handling of this issue, *see, e.g.*, *Verizon Pennsylvania Order*, 16 FCC Rcd at 17478, para. 108; *Verizon Vermont Order* at para. 37.

[168] Verizon NJ II Garzillo/Prosini Decl., Attach. 1 at 1, 3.

[169] *Id.* at 2.

[170] *See* Verizon NJ II May 8 *Ex Parte* Letter and Attach. 3.

63. Commenters argue that the $35 hot cut rate is not TELRIC-compliant.[171] They contend generally that the hot cut rate is merely a temporary credit that does not comport with TELRIC principles.[172] AT&T argues that the New Jersey Board never approved the $35 hot cut rate and that a TELRIC-compliant rate should be no more than $4.35.[173] AT&T also asserts that the $35 hot cut rate is higher than the hot cut rates in five other Verizon states, that the $35 rate cannot be justified by reference to the New York $35 hot cut rate, which was the product of a negotiated settlement, and that Verizon has made no binding commitment to offer the $35 rate in New Jersey.

64. The New Jersey Board rejected AT&T's evidence concerning Verizon's non-recurring cost model that generated the hot cut rate.[174] In rejecting AT&T's proposed non-recurring cost model, the New Jersey Board found that AT&T's alternative non-recurring cost model "identified far fewer rate elements than the Verizon NJ Model and assume[d] away a number of potential costs on the premise that they should have been included as part of recurring costs and/or are unnecessary in a forward-looking environment due to mechanized improvements."[175] In this proceeding, AT&T has not presented persuasive evidence that the New Jersey Board committed clear error in rejecting its cost model or approving Verizon's non-recurring cost model. We are therefore not persuaded, based on the current record, by AT&T's contention that a hot cut should cost less than $5.00.[176]

65. During the NJ I proceeding, Verizon's $159.76 hot cut rate generated considerable controversy. Although Verizon continues to argue in NJ II that this rate is Board-approved and TELRIC-complaint, it voluntarily agreed to reduce the effective rates for six hot cut charges to $35.00. The $35.00 hot cut rate is a rate selected by Verizon and that has gone into effect in New Jersey. Our task is not, as AT&T claims, to determine whether $35.00 or some other rate most complies with TELRIC, but rather to determine whether $35 falls within a reasonable TELRIC range. Our review here is also not *de novo*, as we have said many times before. Upon review, we find that Verizon's $35.00 hot cut rate in New Jersey is within the reasonable range that application of TELRIC principles would produce.

66. First, the $35.00 hot cut rate, which mirrors the effective rate in New York, bears the imprimatur of the New York PSC as well as the numerous competitive LECs who joined that settlement, including AT&T itself. We have already found that New York is an appropriate

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[171] *But see* Allegiance NJ II Comments at 1 ("Allegiance commends Verizon for voluntarily reducing its non-recurring charge for hot cuts to $35.00.").

[172] *See, e.g.*, AT&T NJ II Comments at 7-11.

[173] *Id.* at 8-9.

[174] *New Jersey BPU UNE Rate Order* at 157-59.

[175] *Id.* at 157.

[176] AT&T NJ II Comments at 8 & n.6.

benchmark state for non-loop rate purposes, which gives us additional comfort that the $35 hot cut rate in New Jersey and the $35 hot cut rate in New York can be appropriately compared.[177]

67. Second, while AT&T argues vehemently that the New York hot cut rate should not be viewed in isolation,[178] AT&T itself presented evidence that the $35.00 hot cut rate in New Jersey falls within a reasonable range. AT&T introduced substantial expert testimony in NJ I, which it incorporated by reference in NJ II,[179] explaining that its business plan for entering the New Jersey residential market substantially depends on the existence of a cost-based hot cut rate.[180] AT&T claimed that it could compete with Verizon in the New Jersey residential market with a hot cut rate priced in the $30-$33 range, in line with Verizon's rate for a two-wire initial installation, over $130 lower than the then-existing hot cut rate of $159.76.[181] Indeed, AT&T stated that it had planned to implement its market entry strategy in New Jersey when Verizon charged $32.16 to perform a hot cut, but that it was forced to abandon that strategy only after the New Jersey Board approved a higher hot cut rate of $159.76.[182] Having argued that a hot cut charge in the range of $30-$33 would be appropriate in New Jersey and would pose no barrier to market entry, AT&T cannot now ask us to find that a hot cut rate of $35 clearly falls outside an acceptable TELRIC range. AT&T provides no evidence that the line between TELRIC and non-TELRIC pricing for a hot cut charge in New Jersey falls somewhere between the $30-$33 rate it previously found acceptable and the $35 rate it now finds objectionable. AT&T's argument is not credible, and we therefore reject AT&T's claim that $35 falls outside a reasonable TELRIC range.

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[177] Letter from David L. Lawson, counsel for AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission (April 26, 2002) (AT&T NJ II April 26 *Ex Parte* Letter), Supp. Decl. of Richard J. Walsh at para. 18 n.19. *See also SWBT Arkansas/Missouri Order*, 16 FCC Rcd at 20753-54, para. 71 & n.207; *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6266-68, paras. 60-61.

[178] *See* AT&T NJ II Comments at 9-11.

[179] *Id.* at 1 n.1.

[180] *See* AT&T NJ I Comments, Exh. A, Declaration of Stephen G. Huels (AT&T NJ I Huels Decl.) at para. 4 (explaining that "Verizon's [$159.76] hot cut non-recurring charge will undermine AT&T's ability to carry out" AT&T's business strategy in New Jersey); AT&T NJ I Comments at 13 ("Verizon's overstated hot cut NRCs threaten any facilities-based local business and residential entry plan in New Jersey.").

[181] *See* AT&T NJ I Comments, Exh. B, Declaration of John Sczepanski (AT&T NJ I Sczepanski Decl.) at para. 9 ("Verizon's [$159.76] hot cut NRC creates a significant barrier to AT&T's local telephone entry plans by inflating AT&T's per line cost of migrating customers from UNE-P based services to UNE-L based services by nearly 400 percent (from $32.16/line to $159.76/line)."); AT&T NJ I Comments at 13 ($159.76 - $130.30 = $29.46). In presenting this evidence, AT&T acknowledges that hot cut rates in the range of $29.46-$32.16 would not create a barrier to market entry.

[182] AT&T NJ I Sczepanski Decl. at para. 8 (stating "AT&T had already begun to carry out its UNE-P to UNE-L migration plan – in anticipation of reduced New Jersey UNE rates at the conclusion of the recent UNE rate case in New Jersey – by making substantial investments in network equipment to carry out that plan," but noting that "Verizon and the New Jersey [BPU] effectively halted" that plan by "substantially increasing Verizon's hot cut NRC by almost 400 percent").

68. Finally, the New Jersey Board is presently considering AT&T's motion for reconsideration of the hot cut rate and will have an opportunity to weigh AT&T's evidence of the appropriate rate level. While the New Jersey Board made findings that cast some doubt on the $159.76 hot cut rate,[183] it also made a determination that some significant amount of work was involved in performing a hot cut.[184] We note that the $35 hot cut charge reflects a reduction of over 75 percent from the charge adopted by the New Jersey Board. These findings, in conjunction with the similarities between the New Jersey and New York hot cut rates, persuade us that the $35 rate falls within a reasonable TELRIC range. In any event, while we believe that the New Jersey Board should have the opportunity to evaluate the evidence itself, we also take comfort that the $35 hot cut rate will remain in effect until at least March 1, 2004. Our deference to the New Jersey Board is consistent with our treatment of this issue in the *SWBT Texas Order*, where we stated that we would not second-guess a state commission's responsibility to set hot cut charges.[185] Accordingly, we defer to the New Jersey Board's anticipated resolution of this matter and find no TELRIC error on the record before us in Verizon's $35 hot cut rate.[186]

69. *Feature Change Service Order Charge.* AT&T asserts that the $7.71 service order charge Verizon assesses on a competitive LEC whenever it adds or deletes a telephone

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[183] *See New Jersey BPU Final UNE Rate Order* at 158.

[184] *See id.* at 157-58, 162. In approving the $159.76 hot cut rate, the New Jersey Board directed Verizon to modify eight critical inputs to Verizon's non-recurring cost model. These modifications, which are listed below, are evidence that the New Jersey Board agreed with Verizon that a hot cut required some significant amount of work. "(1) revise all travel times to 20 minutes; (2) adjust the time estimates for all additional lines to be equal to the time associated with the initial lines where the additional line is greater; (3) eliminate all computer connect times for additional lines in recognition that the tasks for the initial and additional lines will be performed within the allotted time for the initial line; (4) eliminate all times associated with notifying a CLEC to complete an order in recognition that the tasks for the initial and additional lines will be performed within the allotted time for the initial lines; (5) eliminate all times associated with scheduling teams, contacting CLEC, verifying service orders, obtaining CLEC approval, completing orders, and notifying the team of cancellations for all additional lines in recognition that the tasks for the initial and additional lines will be performed within the allotted time for the initial line; (6) revise to five minutes all times associated with gaining access to a premises, locating terminals, contacting the mechanized loop administration center, and working with the mainframe or regional CLEC coordination center; (7) eliminate all field installation charges associated with migration orders; and (8) eliminate all manual translation times that are made obsolete by the flow-through capabilities of Verizon's operations support systems." *Id.* at 162-63.

[185] *SWBT Texas Order*, 15 FCC Rcd at 18495, para. 277. Similarly, in the *New York Order*, the Commission deferred to the state's intention to address additional evidence regarding the appropriate switch discount value. *Bell Atlantic New York Order*, 15 FCC Rcd at 4085-86, para. 247. The Commission concluded that the commenter "presented no evidence that the New York Commission's ongoing examination of the switch discount issue betoken[ed] a failure to set TELRIC-compliant rates." *Id.* (quotations and citations omitted). The D.C. Circuit Court of Appeals affirmed, finding that "rates may often need adjustment to reflect newly discovered information." *AT&T v. FCC*, 220 F.3d at 617.

[186] We note that the Commission retains its ability to take appropriate enforcement action pursuant to section 271(d)(6) if Verizon falls out of compliance with the requirements of section 271. *See, e.g., Verizon Massachusetts Order*, 16 FCC Rcd at 9003, para. 30.

feature service, such as caller identification, does not comply with TELRIC.[187] In a fully electronic or automated system, according to AT&T, this charge might be as low as $0.27.[188] AT&T also notes that Verizon assesses an initial service order charge of only $0.83 when a competitive LEC requests installation of features in an initial service order.[189]

70. First, we are not persuaded by AT&T's comparison of Verizon's $7.71 service order charge for feature changes with Verizon's $0.83 service order charge for the initiation of new UNE-platform service or with AT&T's proposed $0.27 service order charge for feature changes.[190] While we agree that there are material differences between $7.71 and $0.83 (or $0.27), a simple rate comparison does not, by itself, demonstrate that the New Jersey Board failed to follow TELRIC principles in approving the $7.71 rate. We are also not persuaded by AT&T's argument that Verizon overstates the manual processes associated with competitive LEC order fallout that generate the service order charge.[191] Verizon accounted for order fallout by discounting its service order activity time estimate by over 86 percent.[192] While AT&T might prefer if this discount were greater, AT&T does not show that the New Jersey committed clear TELRIC error in approving Verizon's use of it. Absent such evidence, we have no basis to conclude that the New Jersey Board improperly approved Verizon's service order charge for feature changes.[193]

71. Second, unlike some other non-recurring charges such as hot cuts, which are imposed when a customer migrates to a competitive LEC's switch, a feature change service order charge is imposed only if a customer is already taking service from a competitive LEC. Even then, not all such customers request changes to their feature services. There is no evidence in the record that a feature change service order charge constitutes a barrier to market entry in the same way that a non-TELRIC hot cut charge could.

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[187] AT&T NJ II Comments at 18. *See also* Verizon NJ II April 29 *Ex Parte* Letter.

[188] AT&T NJ II April 26, 2002 *Ex Parte* Letter at 2.

[189] *Id.* at 1.

[190] AT&T NJ II Comments, Exh. B, Declaration of Richard J. Walsh (AT&T NJ II Walsh Decl.) at para. 10.

[191] AT&T NJ II Walsh Supp. Decl. at para. 14.

[192] Verizon NJ II Garzillo/Prosini Reply Decl. at paras. 55-56; AT&T NJ II Walsh Supp. Decl. at Table 1.

[193] AT&T argues that non-recurring charges can be compared to those in other states. *See* AT&T NJ II Comments at 7-8 (*e.g.*, hot cut charges). Were we to compare Verizon's service order charges for a feature change in New York and New Jersey, we note that in New York the charge is $9.01, $1.30 higher than New Jersey's charge of $7.71. *See* Verizon NJ II Garzillo/Prosini Reply Decl. at para. 57. Because we do not find this comparison to be, by itself, dispositive of the issue of the TELRIC compliance of the service order charge, we need not determine the relevance of the alleged interim status of the $9.01 New York charge. *See* Letter from David L. Lawson, counsel, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 02-67 (filed June 19, 2002).

72. Finally, we note that AT&T has filed a motion for reconsideration of this issue with the New Jersey Board. We believe that the New Jersey Board should have the opportunity to evaluate the evidence itself and make adjustments it regards as appropriate.[194] In particular, the New Jersey Board may want to confirm that Verizon's use of an "averaging" methodology in calculating the $7.71 service order charge for feature changes generated a cost-based rate.[195] Consistent with prior orders, we defer to the state's resolution of this fact-specific question in the ongoing proceeding,[196] and we find no TELRIC error on the record before us in Verizon's $7.71 service order charge for feature changes.

73. For the foregoing reasons, we cannot conclude on the record before us that the New Jersey Board committed a TELRIC error in adopting Verizon's $7.71 service order charge for features changes, and, in any event, we defer to the New Jersey Board's resolution of AT&T's challenge to this non-recurring charge.

2. OSS

74. Checklist item 2 requires a BOC to demonstrate that competitors have nondiscriminatory access to the various systems, databases, and personnel (collectively referred to as OSS) that a BOC uses in providing service to its customers.[197] The Commission has identified five functional OSS domains: (1) pre-ordering; (2) ordering; (3) provisioning; (4) maintenance and repair; and (5) billing.[198] Further, a BOC must show that it has an adequate change management process in place to accommodate changes made to its systems.[199] In assessing a BOC's OSS, we review its performance to determine both that its performance provided to all competing carriers in the aggregate is sufficient, and that its performance

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[194] The Commission has previously held that it will not conduct a *de novo* review of a state's pricing determinations. *Verizon Pennsylvania Order*, 16 FCC Rcd at 17453, para. 55 (citations omitted); *Verizon Vermont Order* at para. 15; *BellSouth Georgia/Louisiana Order* at para. 23. *See also Sprint v. FCC*, 274 F.3d at 556 ("When the Commission adjudicates § 271 applications, it does not – and cannot – conduct de novo review of state rate-setting determinations. Instead, it makes a general assessment of compliance with TELRIC principles.").

[195] *See* Verizon NJ II April 29 *Ex Parte* Letter at 2-3 (explaining averaging approach used for all elements in "loops" category); Verizon NJ II June 7 *Ex Parte* Letter at 6.

[196] We note that the Commission retains its ability to take appropriate enforcement action pursuant to section 271(d)(6) if Verizon falls out of compliance with the requirements of section 271. *See, e.g., Verizon Massachusetts Order*, 16 FCC Rcd at 9003, para. 30.

[197] *Bell Atlantic New York Order*, 15 FCC Rcd at 3989-90, para. 83.

[198] *Verizon Pennsylvania Order*, 16 FCC Rcd at 17425, para. 12; *Bell Atlantic New York Order*, 15 FCC Rcd at 3989, para. 82.

[199] *See Verizon Pennsylvania Order*, 16 FCC Rcd at 17425, para. 12; *Bell Atlantic New York Order*, 15 FCC Rcd at 3999, 4000 para. 102 & n.277 (citations omitted).

provided to one or more carriers does not show discriminatory treatment. We find, as did the New Jersey Board, that Verizon provides non-discriminatory access to its OSS.[200]

75. To demonstrate that its OSS is handling current demand and will be able to handle reasonably foreseeable future volumes, Verizon relies upon a combination of evidence – New Jersey commercial usage, third-party testing, and performance of certain systems identical to those in other section 271-approved states. Specifically, in addition to New Jersey performance data, Verizon certifies that it provides competitive LECs in New Jersey with interfaces and gateways to the OSS common to those serving the rest of the former Bell Atlantic service area.[201] Verizon engaged KPMG Consulting (KPMG) to test the interfaces and OSS serving New Jersey. In addition, Verizon engaged PricewaterhouseCoopers (PwC) to conduct two attestation reviews of Verizon's BOS BDT formatted bills in New Jersey in September 2001.[202]

76. As an initial matter, although we acknowledge that there are substantial similarities between the OSS available to competitors in New Jersey and the OSS that we have approved in previous 271 applications filed by Verizon, we believe that certain factors require us to review closely the operational readiness of the OSS particular to New Jersey. First, most OSS transactions handled for New Jersey customers must be processed by a service order processor (SOP) unique to New Jersey.[203] While many of the interfaces, gateways, and some back office systems are common region-wide,[204] the SOP is different and, therefore, we must be confident that this difference has no material impact on Verizon's performance.[205] Second, a number of

[200] New Jersey Board NJ I Comments at 43.

[201] Verizon NJ I McLean/Wierzbicki/Webster Decl. at para. 8. This area includes states where the Commission found OSS checklist compliance as part of its section 271 approval. *Verizon Pennsylvania Order*, 16 FCC Rcd at 17424-25, paras. 11-12; *Verizon Massachusetts Order*, 16 FCC Rcd at 9013-14, 9026, 9036-37, 9040-42, 9043-44, 9045-46, 9051, paras. 50, 70, 90, 95, 97, 102, 114; *Bell Atlantic New York Order*, 15 FCC Rcd at 3989, para. 82; *Verizon Connecticut Order*, 16 FCC Rcd at 14170, para. 51.

[202] First, PwC verified that the BOS BDT bill provided to competitive LECs in New Jersey contained the same key summarization points and key billing elements as the paper bill; contained the same dollar value for those summarization points and billing elements; and had enough detail to allow the billing elements to be recalculated. Verizon NJ I Application, App. B, Tab 4, Joint Declaration of Catherine Bluvol and Sammy Kumar (Verizon NJ I Bluvol/Kumar Decl.) at para. 6. Second, PwC certified that certain billing line items that were issues in the *Verizon Pennsylvania Order* – most notably, taxes, directory advertising in the form of carrier usage, and resale usage on UNE-platform accounts – have been effectively eliminated. Verizon NJ I Application, App. B, Tab 4, Joint Supplemental Declaration of Catherine Bluvol and Sammy Kumar (Verizon NJ I Bluvol/Kumar Suppl. Decl.), at para. 6.

[203] The SOP is the provisioning process system used for order entry. KPMG Final Report at 440. Among other functions, the SOP transmits information to other back office systems, such as the billing system.

[204] In October 2001, Verizon began to provide access to two new functions – loop make-up information and manual loop qualification. We recently examined these new processes, which are the same region-wide, and found them to be in compliance with section 271. *Verizon Rhode Island Order*, 17 FCC Rcd at 3328-29, paras. 61-63.

[205] Due to the integral role that the SOP plays in the operation of the OSS, serving as a hub to coordinate and route data between functions, our initial assessment of it in this proceeding is not constricted to ordering but encompasses (continued....)

parties have raised issues related to Verizon's electronic wholesale bill. Because this issue was also in substantial dispute during our review of Verizon's section 271 application for Pennsylvania, and because our finding that Verizon provided nondiscriminatory access to wholesale billing systems was a "close call,"[206] we must ensure that this system in New Jersey, at a minimum, performs at the same level as the system that was approved in Pennsylvania.

77. As in prior Commission orders, we focus our review on those OSS issues in controversy, and do not address each OSS element in detail where our review of the record satisfies us there is little or no dispute that Verizon meets the nondiscrimination requirements.[207] Here, our discussion focuses on comments regarding the sufficiency, accuracy and reliability of the commercial data submitted; the sufficiency and blindness of KPMG's testing; the timeliness and accuracy associated with Verizon's delivery of order processing notifiers; wholesale billing practices; and issues raised regarding service order flow-through.

a. Third-Party Testing

78. Under the direct supervision of the New Jersey Board, KPMG conducted an independent, wide-ranging review of Verizon's OSS for three test categories: transaction validation and verification; policies and procedures review; and performance metrics reporting.[208] KPMG performed military-style testing of the five functional OSS domains, under which Verizon would memorialize and implement its response to any identified problem, and KPMG would re-test the associated activities until all 536 test points were satisfied.[209] This testing model is substantially similar to the tests that KPMG conducted in New York, Massachusetts, and Pennsylvania, and that the Commission has relied on in its decisions that Verizon's OSS met the requirements of checklist item two in those states.[210] As the Department of Justice recognized, the KPMG test was comprehensive,[211] and the New Jersey Board noted that New

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all OSS domains. Among other tasks, the SOP edits new orders, routes orders to the appropriate downstream provisioning systems, cycles completed orders to Verizon's billing systems for updating, and directs Verizon's gateway systems to issue completion notices to competitive LECs. AT&T NJ.I Kirchberger/Nurse/Kamal Decl. at paras. 31-35.

206 *Verizon Pennsylvania Order*, 16 FCC Rcd. at 17427, para. 15.

207 *See, e.g., id.* at 17425, para. 12.

208 KPMG Final Report at 17.

209 *Id.* at 17, 19, 22.

210 *Verizon Pennsylvania Order*, 16 FCC Rcd at 17426-27, 17438-39, paras. 14, 33; *Verizon Massachusetts Order*, 16 FCC Rcd at 9012, para. 46; *Bell Atlantic New York Order*, 15 FCC Rcd at 3999, para. 100.

211 Department of Justice NJ I Evaluation at 3.

Jersey is the first state to conclude the test with a clean slate of no outstanding Exceptions or Observations.[212]

79. In assessing the persuasiveness of a third-party review, the Commission looks to the qualifications, experience and independence of the third party and the conditions and scope of the review itself.[213] If the review is limited in scope or depth or is not independent and blind, the Commission will give it minimal weight.[214] As explained below, because we find KPMG's test to be sufficiently broad and objective, we place significant reliance on the conclusions generated from that test to find that Verizon's OSS in New Jersey is in compliance with the checklist.[215]

(i) End-to-End Volume Testing

80. AT&T questions KPMG's evaluation of each test domain (*i.e.*, pre-ordering, provisioning, billing, and maintenance and repair) separately rather than on the end-to-end basis necessary to gauge "real world" commercial usage.[216] In particular, AT&T argues that the lack of volume testing past the point when the local service request confirmation (LSRC) is issued excludes the downstream provisioning and billing processes, and therefore omits critical functions of the otherwise untested SOP unique to New Jersey.[217] AT&T also points to misses for certain performance measurements, such as for the benchmark and parity of billing completion timeliness, as evidence of the shortcomings of the KPMG test.[218] AT&T claims that end-to-end volume testing in New Jersey is warranted based on the problems that Verizon had with its OSS in New York following section 271 approval, despite greater commercial usage in that state.[219]

81. Contrary to AT&T's assertions, KPMG's testing did include end-to-end testing and evaluation of integrated operations, including examination at a projected "normal" volume equivalent to the submission of 1.3 million orders per month into the New Jersey SOP.[220]

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[212] New Jersey Board NJ I Comments at 30.

[213] Appendix C at para. 31.

[214] *Id.*

[215] We address in Section III.B.2.d below the testing issues relating specifically to billing.

[216] AT&T NJ I Comments at 17-18; AT&T NJ I Kirchberger/Nurse/Kamal Decl. at paras. 21-28.

[217] AT&T NJ I Comments at 18; AT&T NJ I Kirchberger/Nurse/Kamal Decl. at paras. 26-27; KPMG Final Report at 345 (stating that the billing evaluation "did not rely on volume testing").

[218] *See* AT&T NJ I Comments at 19; AT&T NJ I Kirchberger/Nurse/Kamal Decl. at paras. 98-107.

[219] AT&T NJ I Comments at 19 n.10; AT&T NJ I Kirchberger/Nurse/Kamal Decl. at para. 25.

[220] Verizon NJ I McLean/Wierzbicki/Webster Reply Decl. at para. 9 (noting that the New Jersey SOP went beyond the anticipated load of its own state and successfully processed the entire regional volume). Of the more than 185 different scenarios used to structure transaction testing, some "were specific to a particular domain, while others spanned multiple domains providing an end-to-end test of Verizon NJ's systems and processes. Variations of each (continued....)

Further, we do not give credence to the argument that a failure to meet certain limited benchmarks demonstrates that KPMG's testing did not properly evaluate the SOP. In prior decisions, isolated metric misses have not compelled the Commission to minimize or disregard third-party testing that was otherwise found to be sufficient in scope and depth,[221] and no commenter has identified a pattern of commercial usage to warrant our reaching such a conclusion here.

82. We find similarly unpersuasive the assertion that Verizon's OSS difficulties with transactions downstream from the LSRC that took place in New York during 2000 demonstrate a need for end-to-end volume testing in New Jersey. Verizon identified that problem as arising from third-party vendor software used in the EDI ordering interface that caused missing or delayed orders, and corrected this not just in New York but throughout the 14-state former Bell Atlantic footprint.[222] The KPMG test for Pennsylvania was more recent and relevant than the one for New York and was substantially similar to the one used in New Jersey, and we have no evidence of any flaw in Verizon's ability to handle greater volumes of actual usage following section 271 approval for Pennsylvania.

(ii) Blindness of Test

83. In its effort to simulate the operational experience of a competitive LEC, KPMG instituted several measures to minimize the likelihood of being recognized by Verizon and receiving any favorable treatment.[223] Among other procedures to advance this test objective, KPMG required that all documents given to it were generally available to other competitors; Verizon did not receive any advance notice of the timing or detailed nature of transactions and test calls; the New Jersey Board randomly monitored telephone calls between KPMG and Verizon; and KPMG established a weekly conference call that included competitors and the New Jersey Board so that competitive LECs could obtain information about test progress and communicate issues of concern.[224]

84. AT&T challenges the test as insufficiently blind to Verizon, asserting that these procedures were inadequate for KPMG to hide its "pseudo-CLEC" identity from Verizon, and

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scenario were executed to test a range of feature/function combinations, and to reach desired transaction volume levels." KPMG Final Report at 18. The pre-order and order volume performance tests projected transaction forecasts and ran at projected normal day volumes, peak day volumes (150% of normal), and stress-test volumes (250% of normal). KPMG Final Report at 129, 133-34.

[221] *E.g.*, *Verizon Pennsylvania Order*, 16 FCC Rcd at 17439, para. 34 ("While some of the wholesale billing errors that KPMG identified continue to occur for a time after the KPMG study ended, we find that the recurrence of some errors does not diminish the value of the KPMG study.").

[222] Verizon Feb. 25 *Ex Parte* Letter at 4.

[223] KPMG Final Report at 19-20.

[224] *Id.* at 20. *See also id.* at 16 ("Significant input from the NJ BPU, Verizon NJ, and various CLECs was solicited, received, and considered during the MTP [Master Test Plan] development period.")

that Verizon could have used its advance knowledge to shield KPMG from real-world problems that other competitive LECs face.[225] In addition, AT&T argues that it and other competitors were severely limited in their ability to participate in the testing. Specifically, AT&T notes that, unlike the New Jersey Board and Verizon, it could only monitor and not express opinions during the KPMG weekly calls discussing the status of exceptions and observations, and could only voice concerns during a separate weekly call where KPMG's subject matter experts often did not participate.[226]

85. We conclude that the KPMG test was sufficiently blind to provide us with valuable evidence of the adequacy of Verizon's OSS systems. In addressing KPMG's potential for preferential treatment during the testing process in New York, the Commission previously recognized that "it was virtually impossible for the KPMG transactions to be truly blind," and relied on the efforts of KPMG to maintain blindness to treat the evidence of OSS readiness as persuasive.[227] Because KPMG implemented measures in its New Jersey testing that were substantially similar to those upon which we relied in the *Verizon New York Order*, we conclude here that the KPMG measures that we described above sufficiently obviated the likelihood of favoritism.

(iii) Limited Depth and Scope of Test

86. Finally, we dismiss AT&T's assertions that KPMG's failure to test line splitting, electronic billing, and performance data accuracy preclude the use of the entire KPMG test as evidence of nondiscriminatory OSS.[228] The scope of a third-party test is relevant to the weight we assign to that test, and such a test is not an independent requirement. Our experience in evaluating section 271 applications has shown that OSS functionalities are constantly evolving, and BOCs should not be penalized because substantially improved functionalities come on-line near the conclusion of the testing period or after testing has already concluded.[229] We address nondiscriminatory access to line splitting and electronic billing below, and acknowledge that the KPMG test is not probative to Verizon's showing for either system.[230]

87. With regard to performance data, KPMG did undertake a comprehensive review of Verizon's systems and procedures to measure and report its performance under the Carrier-to-

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225 AT&T NJ I Kirchberger/Nurse/Kamal Decl. at paras. 26-27.

226 *Id.* at paras. 58-59.

227 *Bell Atlantic New York Order*, 15 FCC Rcd at 3998-99, para. 99.

228 AT&T NJ I Kirchberger/Nurse/Kamal Decl. at paras. 39-54.

229 Notably, Verizon's BOS BDT billing became available as the bill of record in New Jersey in September 2001, and new line splitting process was made available region-wide in October 2001. *Id.* at paras. 43-54.

230 *See infra* at Sections III.B.2.d (electronic billing) and III.B.2.f (line splitting).

Carrier Guidelines, and KMPG found that Verizon satisfied all 164 test points.[231] Furthermore, we do not find significant those criticisms that Verizon received a perfect score on KPMG's OSS testing, yet in certain instances it later discovered limited misreported or miscalculated data.[232] The failure to detect an improper calculation of performance results for an isolated number of metrics is not enough to disqualify an otherwise comprehensive review by an experienced and qualified auditor.[233] In addition, we reject AT&T's suggestion that we discredit the comprehensiveness and probative value of KPMG's test because it did not evaluate whether Verizon used the appropriate retail analogue for competitors' wholesale activities.[234] Identification of analogous functions is essential for measuring parity, and KPMG did test whether Verizon selected a retail analogue consistent with the New Jersey Board's Carrier-to-Carrier guidelines.[235]

b. Data Sufficiency, Accuracy and Reliability

88. Although some commenters challenge the small number of residential UNE-platform customers in New Jersey as being insufficient to assess the operational readiness of the OSS,[236] the Commission has n[illegible]r required an applicant to achieve a specific market share in any

[231] KPMG Final Report at 23, 353-405; *see also* Verizon NJ I Application App. A, Vol. 3, Declaration of Elaine M. Guerard, Julie A. Canny, and Marilyn C. DeVito at para. 134 (Verizon NJ I Guerard/Canny/DeVito Decl.).

[232] NJDRA Comments at 22; AT&T NJ I Bloss/Nurse Decl. at para. 40; *see also* AT&T NJ I Bloss/Nurse Decl. at para. 30 and Attach. 3 (detailing Verizon's exclusion of five of six New Jersey area codes in the calculation of its installation trouble report rates for certain digital services under PR-6-01 an PR-6-03).

[233] *See Verizon Pennsylvania Order*, 16 FCC Rcd at 17439, para. 34 (finding that "the recurrence of some errors does not diminish the value of the KPMG study" and that "remaining errors as of the date of filing were at *de minimis* levels").

[234] AT&T NJ I Bloss/Nurse Decl. at para. 39 & n.31 (citing KPMG witness' concession that "it was not a structured element of their test to look at the retail analog that was chosen and compare it to the wholesale standard or metric").

[235] KPMG testified "if a retail analog was defined in the carrier to carrier guidelines as being the one that should be used, our test did determine . . . that . . . the correct data . . . was used in the calculation of the retail analog." *November 16, 2001 Transcript*, App. B, Tab 9. We also find unpersuasive AT&T's objections to KPMG's test of the paper billing, such as AT&T's criticism of KPMG's testing of "scrubbed" new accounts that did not have actual account history. *See* AT&T NJ I Kirchberger/Nurse/Kamal Decl. at para. 51. The use of dummy accounts rather than actual customers is a necessary aspect of testing, and as we indicate above, we find KPMG's pseudo-CLEC activities to be sufficient for our reliance on its test of Verizon's OSS.

[236] *E.g.*, AT&T NJ I Kirchberger/Nurse/Kamal Decl. at para. 61 (citing Verizon's admission that only 800 residential lines serve New Jersey through the UNE-platform (Verizon Application at 79)). Several commenters attack Verizon's application as being premature, criticizing the amount of actual commercial usage as being insufficient. *E.g.*, AT&T NJ I Comments at 17; AT&T NJ I Kirchberger/Nurse/Kamal Decl. at para. 16; NJDRA NJ I Comments at 21. In particular, some parties argue that the lack of TELRIC rates for UNEs has precluded the development of meaningful UNE commercial usage data and experience. *E.g.*, AT&T NJ I Comments at 17; WorldCom NJ I Comments at ii ("Because we are unable to enter the market [due to excessive UNE rates] we do not have the commercial experience to be able to discuss the adequacy of the New Jersey [OSS] as a practical matter."). Although the New Jersey Board described the competitive LEC order volumes as "relatively modest to date," it (continued....)

specific sub-market, or even to demonstrate the processing and provisioning of a substantial commercial volume of orders, as a prerequisite to checklist compliance.[237] In evaluating this application, we note that with approximately 613,000 total lines deployed,[238] competitive LECs reach 10 percent of all lines in Verizon's service area through all modes of entry.[239] While the most prevalent form of competition in New Jersey has been resale, as of January 2002, competing carriers in New Jersey served approximately 39,000 lines over UNE-platform .[240] Therefore, although the number of UNE-platform customers may be proportionally low, the total number is sufficient to allow us to rely on the performance data generated by commercial usage.

89. In making this determination, we rely in part on the Department of Justice's evaluation, which found that the relatively low levels of commercial usage warranted extra attention to wholesale billing, but did not otherwise find the degree or distribution of commercial activity to be insufficient.[241] As described below, we have devoted the extra attention suggested by the Department of Justice to those issues in controversy. And while we are satisfied that we have enough data to examine how Verizon's OSS functions with respect to UNE orders, we find, as did the New Jersey Board, that we can also rely on the KPMG test results as additional significant evidence that Verizon provides nondiscriminatory access to its OSS.[242] Our reliance on the KPMG test results is warranted because of the thoroughness and rigorousness with which KMPG conducted its military-style test, which covered 536 transactions and included volume testing. Thus, we see no need to question the reliability of the data Verizon submitted in its application and, in fact, we are encouraged by Verizon's efforts in coordination with the New Jersey Board, to ensure that its data are accurate, reliable, and widely disclosed.

90. We reject the arguments made by AT&T and other parties that challenge the reliability of Verizon's data on the basis of the sheer volume of the changes and corrections that Verizon made to its processes for including the relevant data.[243] Unlike the other states where

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found no need for additional commercial experience to confirm the adequacy of the OSS. New Jersey Board NJ I Comments at 30.

[237] Appendix C at para. 11 and n.27.

[238] Verizon NJ II Torre Decl. Attach. 1 at para. 2.

[239] Verizon NJ II April 26 *Ex Parte* Letter (reporting a retail line count of 6,602,027).

[240] Verizon NJ II Torre Decl. Attach. 1 at para. 2 and 2 tbl.1.

[241] Department of Justice NJ I Evaluation at 5-6 & n.21. *See infra* at Section VI (noting that Congress declined to impose a market share test for BOC long distance entry).

[242] New Jersey Board NJ I Comments at 30.

[243] AT&T argues that, pursuant to the change control process, the sheer number of metrics change control notices that Verizon has issued demonstrates that Verizon's performance data are inherently unreliable. AT&T NJ I Bloss/Nurse Decl. at para. 24; AT&T NJ II Comments at 23-24. AT&T points to Verizon's submissions of revisions of past New Jersey Board Carrier-to-Carrier reports to correct errors, as well as Verizon's identification of changes to a variety of metrics and submetrics every month since June of 2000. AT&T NJ I Bloss/Nurse Decl. at paras. 27-31; AT&T NJ II Comments at 23-26. AT&T also criticizes Verizon for failing to recalculate past performance (continued....)

Verizon has previously obtained section 271 authority, Verizon is required by the New Jersey Board to submit a monthly notice of its metric change controls to the New Jersey Board and to the competitive LECs when it implements changes to the methods and procedures it uses to calculate its performance metrics.[244] Specifically, Verizon must track all changes to wholesale performance measurements, namely, metric change control requests; data calculation clarifications; and data calculation corrections.[245] Verizon then must send out e-mail notifications to the New Jersey Board and to competitive LECs within one business day after a metrics change control request or data calculation clarification has been assigned a scheduled filing date.[246]

91. We do not accept AT&T's argument that Verizon's use of the change control process demonstrates that Verizon's performance data are so unreliable as to be of little evidentiary value that would warrant a finding that Verizon's OSS does not comply with the checklist. Rather, we believe that the metrics change control process, and Verizon's compliance with that process, provides improved transparency and openness into a data collection effort that is inherently complex and iterative. Although the improved transparency of this process has identified certain miscalculations,[247] as the Commission has previously held, regular corrective

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reports, with limited exceptions. AT&T NJ I Bloss/Nurse Decl. at paras. 31-34. MetTel attaches copies of 37 metric change control notices for March 17 through March 28, 2002. MetTel NJ II June 13 *Ex Parte* Letter at 4 & Attach.

[244] Verizon NJ I Guerard/Canny/DeVito Decl. at paras. 140-46; *see also* Wholesale Performance Metrics: Change Control Notification Process, July 2001, Appendix J, Tab 13 (Wholesale Performance Metrics July 2001). Building upon the metrics change control process that it uses throughout the former Bell Atlantic region, Verizon began in July 2001 to provide to the BPU and competitive LECs far more information about changes implemented to the performance measurements calculations than it did in New York, Massachusetts, or Connecticut.

[245] Verizon NJ I Guerard/Canny/DeVito Decl. at para. 142; Wholesale Performance Metrics July 2001 at 4. A metric change control request relates to five types of changes: regulatory orders, including a new metric; process improvement changes; new products and services; administrative changes; and template changes. Data calculation clarifications identify a definition or methodology for calculating a performance measurement, and data calculation corrections fix the deficiencies that Verizon discovers in the calculation or completeness of a performance measurement.

[246] Verizon NJ I Guerard/Canny/DeVito Decl. at para. 143. By notifying the competitive LECs of the planned date to file data with the New Jersey Board consistent with the metrics change control request or data calculation clarification, Verizon permits the competitive LECs to track these changes. Wholesale Performance Metrics July 2001 at 1, 5.

[247] AT&T seizes on a handful of correction notices to show the untrustworthiness of Verizon's reporting process, AT&T NJ I Bloss/Nurse Decl. at paras. 28-32, but none of these are emblematic of OSS dysfunction. For instance, AT&T points to a metrics change control notice of September 20, 2001, where Verizon recognized that the sampling error and Z-score results for certain UNE special provisioning measures have been incorrect since June 2000. AT&T NJ I Bloss/Nurse Decl. at para. at para. 28. However, as Verizon notes, this issue was actually corrected in April 2001, and in only one month were the volumes sufficient under the Carrier-to-Carrier guidelines to warrant the calculation of a Z-score, and Verizon provided superior service to competitors in that case. *See* Verizon NJ I Guerard/Canny/DeVito Reply Decl. at para. 21. We also do not find Verizon's data reporting credibility to be undermined by Verizon's revelation that, from June 2000 to October 2001, it excluded data from five of six area (continued....)

activity does not demonstrate systemic infirmities as an end in itself.[248] In fact, the New Jersey Board found that the number of change control notifications issued by Verizon "indicate [Verizon's] necessary commitment to improvement where areas of concern arise."[249] We also note that KPMG tested and approved the metric change control methodology, and we place substantial reliance on its examination.[250]

92. Furthermore, the Commission's procedural rules requiring that parties submit accurate, reliable and truthful information provide significant further assurances of the integrity of the data presented here.[251] Finally, the iterative nature of tracking system performance and recording the resulting data creates a moving target for which precise recomputation during the 90-day section 271 application process is not always realistic.[252] Unless the change in the data collection and computation process results in material differences in the performance calculations, we do not believe that recomputation and resubmission of the results is required simply as a matter of course during the pendency of a section 271 application with the Commission.[253]

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codes when calculating its installation trouble report rates for certain digital services under PR-6-01 (percent installation troubles within 30 days) and PR-6-03 (percent installation troubles reported within 30 days). AT&T NJ I Bloss/Nurse Decl. at para. 30. This exclusion affected only one of eleven wholesale products reported under these measurements (resale 2 wire services), and the uncorrected retail data actually overstate Verizon's own retail performance, so that the misses reported for July and August 2001 for PR-6-01 were subsequently revised to be hits. *See* Verizon NJ I Guerard/Canny/DeVito Reply Decl. at para. 23 and Attachment 6 (Letter from Bruce Cohen, Verizon, to Henry Ogden, Acting Secretary, New Jersey Board of Public Utilities (January 8, 2002))

[248] *E.g.*, *Verizon Pennsylvania Order*, 16 FCC Rcd at 17439 n.123, para. 33 n.123 ("Contrary to AT&T's assertion, moreover, the repeated need for Verizon to correct its billing system during KPMG's testing does not diminish Verizon's credibility, but rather helps demonstrate Verizon's commitment to correcting systemic problems in its billing system."). In the *SBC Arkansas/Missouri Order*, AT&T contended that SWBT's performance data as a whole was suspect due to a third-party tester's failure to uncover performance data anomalies arising from two performance data-related problems. We found nothing sufficient to place in doubt the correctness of SWBT's data collection methodologies. *SBC Arkansas/Missouri Order*, 16 FCC Rcd at 20726-27, para. 17. In addition, we recently rejected assertions that a pattern of data restatements by BellSouth and its recognition of problems with certain metrics indicated that the data was too unstable to be relied on. *BellSouth Georgia/Louisiana Order*, at para. 17.

[249] New Jersey Board Comments at 80.

[250] KPMG Report at 408-09; *see supra* Section III.B.2.a.

[251] *See* 47 C.F.R. § 1.65.

[252] Verizon NJ I Guerard/Canny/DeVito Reply Decl. at para. 19 ("The processes required to convert Verizon's retail and wholesale data into performance results are tremendously complex and implementation of performance measurements is an iterative process that will never be 'final.'").

[253] The NJ Incentive Plan attempts to resolve this issue going forward, as Verizon must revise and re-file in a timely fashion any performance report that it subsequently determines to have been incomplete or inaccurate. NJ Incentive Plan at 8; Verizon NJ I Guerard/Canny/DeVito Reply Decl. at para. 27. A more detailed discussion of the Incentive Plan is contained in Section VI, below.

c. Order Processing Notifiers

93. An important aspect of a competing carrier's ability to serve its customers at the same level of quality as a BOC is the timely receipt of order processing notifiers, which inform competitors of activities that an incumbent has initiated or completed at the request of the competing carrier. In processing an order, Verizon's systems progressively generate four principal sets of notifiers that track the status of the order: (1) an acknowledgement that the order has been received (ACK) or negative acknowledgement (NACK), which indicates flawed transmission of the order and inability to process it; (2) an LSRC or order rejection notice; (3) a provisioning completion notice (PCN), which informs a carrier of the completion of the work associated with an order,[254] or a "jeopardy" notice that a service installation due date will be missed;[255] and (4) a billing completion notice (BCN), which informs competitors that all provisioning and billing activities necessary to migrate an end user from one carrier to another are complete and thus the competitor can begin to bill the customer for service.[256] When a competitive LEC has not received a notifier when it expects to, it can open a trouble ticket with the BOC to determine the status of the missing notifier.

94. Competitors in New Jersey raise several issues regarding notifier timeliness and accuracy,[257] and the Department of Justice comments that the Commission should satisfy itself that Verizon returns BCNs on an accurate and timely basis.[258] For example, as described in more detail below, MetTel raises a threshold accusation that Verizon issues "false" order completion notifiers.[259] In contrast to more anecdotal-based challenges made by competitors in previous section 271 proceedings,[260] MetTel has extensively documented and inventoried its submissions of orders and receipt of notifiers. We commend MetTel on its efforts to compile and submit independent evidence and construct an affirmative case for its position.

95. Nevertheless, for the same reasons outlined below in Part III.B.2.a, and because the New Jersey Board relied explicitly on KPMG's replication and validation of Verizon's completion notifier data, we continue to place primary reliance on the notifier data that Verizon

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[254] *Bell Atlantic New York Order*, 15 FCC Rcd at 4053, para. 188.

[255] *SWBT Texas Order*, 15 FCC Rcd at18447, para. 184.

[256] *Verizon Pennsylvania Order*, 17 FCC Rcd at 17446, para. 43.

[257] MetTel NJ II Comments at 5-6; AT&T NJ I Comments at 22.

[258] Department of Justice NJ II Evaluation at 9.

[259] MetTel NJ II Comments at 5-6 ("Verizon either intentionally or mistakenly reports transactions as completed when in fact they are not completed"); MetTel NJ II Reply at 6-14 (challenging the veracity of the completion notifiers transmitted by Verizon).

[260] "When considering commenters' filings in opposition to the BOC's application, we look for evidence that the BOC's policies, procedures, or capabilities preclude it from satisfying the requirements of the checklist item. Mere unsupported evidence in opposition will not suffice." *SBC Texas Order*, 15 FCC Rcd at 18375, para. 50.

has submitted with its application.[261] At the same time, we recognize that, although the issues raised by MetTel do not generally demonstrate checklist noncompliance, Verizon has an affirmative obligation to continue to engage MetTel and attempt to reconcile its disagreements with MetTel through a carrier-to-carrier dispute resolution process. In this regard, we note that Verizon has begun a data reconciliation process with MetTel during the course of this proceeding that, although incomplete, has focused the number of issues in dispute and led to a more precise identification of the underlying data in dispute.[262] As a result, it appears that much of the remaining gap between the performance results reported by Verizon and the performance results generated by MetTel arise from an apparent disagreement over the application of various aspects of the Carrier-to-Carrier Guidelines. Although the record reveals that this reconciliation process has been contentious and adversarial, at this time we do not believe that Verizon is not engaged in a good-faith effort to resolve these issues. We fully expect Verizon to continue these efforts at reconciliation as part of its nondiscrimination obligations and to continue to make efforts to improve its OSS performance. We also expect the New Jersey Board will make every effort to facilitate this reconciliation effort either formally through its dispute resolution process or through other administrative measures.

96. For purposes of checklist compliance, we are convinced by the thoroughness and rigorousness of KPMG's independent audit that Verizon's performance data, including its data related to notifiers specifically, is sufficiently accurate. The fact that no other company questions whether Verizon's performance data related to the timeliness and accuracy of Verizon's notifier data gives us additional assurance that such data are reliable. Further, MetTel's attempts to introduce certain usage proxies as indicators of system events and reliance on measures not adopted by the New Jersey Board do not persuade us to abandon the more objective and industry standard performance measures approved by the Board.

97. We conclude that Verizon has demonstrated that it provides notifiers in a nondiscriminatory manner that allows efficient competitors a meaningful opportunity to compete. In reaching this determination, we recognize that the processes for notifying competitors of the status of their orders, the set of metrics to measure notification, and the corresponding process to record notifier performance, are all evolving and will continue to do so. Accordingly, we expect Verizon to continue to work with MetTel and other competitors in enabling them to understand the business rules and address carrier-specific problems.[263]

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[261] New Jersey Board NJ I Comments at 34.

[262] *See, e.g.*, Verizon NJ II May17 *Ex Parte* Letter at 1 (noting that the MetTel's and Verizon's "discussions, and the review and reconciliation of data in conjunction with them, have already borne fruit and resulted in increased understanding").

[263] Just as the Commission's approval of change management depends upon the adequacy of a process for the communication and management of changes to electronic interfaces and other applications, *BellSouth Georgia/Louisiana Order* at para. 179, our finding of checklist compliance for OSS is based in part upon Verizon's procedures for working with competitors to address notifier and other OSS issues.

(i) Timeliness of Confirmation and Reject Notices

98. We find that Verizon's provisioning of LSRCs and reject notices to competing carriers meets the requirements of checklist item two in this case. The Commission, in prior section 271 orders, has held that the functionality encompassed by order confirmation notices is an important element of the ordering process, and that data demonstrating that such notices are provided in a timely manner is a key consideration for assessing whether competitors are allowed a meaningful opportunity to compete.[264] Among other things, competing carriers rely on LSRC notices to make commitments to their customers regarding the date for the commencement of service.[265] Moreover, the Commission has noted that the "[t]imely delivery of order rejection notices has a direct impact on a new entrant's ability to service its customers, because new entrants cannot correct errors and resubmit orders until they are notified of their rejection. . . ."[266] Under the New Jersey Carrier-to-Carrier guidelines, and depending on the classification of the service ordered, Verizon must return an order confirmation or reject within 2 hours, 24 hours, 48 hours, or 72 hours for 95 percent of the orders within each category in order to meet the relevant benchmarks.[267]

99. MetTel challenges the timeliness of Verizon's provision of LSRCs and rejects in New Jersey. Based on its analysis of Verizon's performance for November and December 2001, MetTel asserts that Verizon has overstated its positive performance in providing LSRCs and reject notifiers.[268] According to MetTel, at least part of Verizon's inaccuracy stems from the

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[264] *E.g., Bell Atlantic New York Order*, 15 FCC Rcd at 4035-37, paras. 163-64.

[265] *See Application of BellSouth Corporation, et al., Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region, InterLATA Services in South Carolina*, CC Docket No. 97-208, Memorandum Opinion and Order, 13 FCC Rcd 539, 603, para 115 (1997) (*BellSouth South Carolina Order*). The Commission noted that "[d]elays in the return of the FOC [LSRC] notice therefore delay a new entrant's ability to inform its customers when service will begin." *Id.* at 606, para. 122.

[266] *BellSouth South Carolina Order*, 13 FCC Rcd at 604, para. 117.

[267] *See* OR-1-02 (% On Time LSRC – Flow-Through) (2 hours), OR-1-04 (% On Time LSRC < 6 lines – Electronic – No Flow-Through) (24 hours), OR-1-06 (% On Time LSRC ≥ 6 lines – Electronic – No Flow-Through) (72 hours), OR-1-08 (% On Time LSRC < 6 lines - Fax) (48 hours), OR-2-02 (% On Time Reject - Flow-Through), OR-2-04 (% On Time LSR Reject < 6 lines -Electronic - No Flow-Through), and OR-2-06 ((% On Time LSR Reject ≥ 6 lines – Electronic – No Flow-Through), OR-2-08 (% On Time LSRC < 6 lines – Fax) (48 hours). These metrics allow longer time interval standards for more complex products that are likely to require longer processing periods.

[268] MetTel NJ II Comments, Declaration of Elliott Goldberg at para. 6 (MetTel NJ II Goldberg Decl.) MetTel maintains its own measurement data, based on the interval between when it sends in an order the date/time stamp encrypted in the header of the confirmation and reject notices that it receives. *Id.* Verizon agrees that the use of the encryption date/time stamp is a reasonable measurement point. Verizon NJ II April 15 *Ex Parte* Letter at 2-3; Verizon NJ II Reply App. A, Declaration of Kathleen McLean, Raymond Wierzbicki, and Catherine T. Webster, at para. 15 (Verizon NJ II McLean/Wierzbicki/Webster Reply Decl.). According to MetTel's analysis of the data that it collects, Verizon's actual reject and confirmation measures for MetTel range from 78 to 90%, well below the 98% and 99% scores that Verizon reported. MetTel NJ II Goldberg Decl. at para. 6.

exclusion of 520 purchase order numbers (PONs), or 16 percent of the New Jersey PONs.[269] In addition, contrary to Verizon's reported results, MetTel asserts that less than 75 percent of these notifiers were issued on time.[270]

100. Consistent with Commission precedent in evaluating section 271 applications, we rely on the performance measurements adopted by the New Jersey Board through an industry-wide collaborative effort, and the results reported by Verizon using those measurements. The Commission has previously expressed support for the efforts of state commission to build and oversee a process that ensures the development of local competition, and that allows the technical details of metric definitions to be worked out with the participation of all concerned parties.[271] Under the New Jersey business rules, Verizon has consistently returned confirmation and reject notices for resale and UNE-platform orders well beyond the 95 percent performance metric threshold for November 2001 through February 2002 for all competitive LECs in the aggregate,[272] and for MetTel specifically.[273]

101. We place little weight on MetTel's data analysis for November and December 2001, as Verizon has shown that MetTel appears to have included data in its analysis that normally would be excluded under the Carrier-to-Carrier Guidelines.[274] Verizon argues that MetTel's calculation of response times based on a "run clock" basis fails to take into account certain weekend and other scheduled hour exclusions recognized by the Carrier-to-Carrier Guidelines where the service order processor is off-line. In addition, Verizon explains that 91 percent of the PONs that it supposedly failed to include in its performance data were appropriately excluded as "front-end" rejects that are not counted in performance in the Carrier-to-Carrier guidelines, and that the remainder were actually from other states; either confirmed or rejected in a different month; or were submitted twice.[275] We also note that MetTel raises

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[269] MetTel NJ II Goldberg Decl. at para. 6; MetTel NJ II April 15 *Ex Parte* Letter.

[270] MetTel NJ II Goldberg Decl. at para. 6 (excepting the data for September). MetTel submits these results for the June-December 2001, which it explains was the most recent data available. *Id.* at paras. 6-7.

[271] *SWBT Texas Order*, 15 FCC Rcd at 18376-77, para. 54.

[272] *See* OR-1-02-2320; OR-1-04-2320; OR-1-06-2320; OR-1-02-3140; OR-1-04-3140; OR-1-06-3140; OR-2-02-2320; OR-2-04-2320; OR-2-06-2320; OR-2-02-3140; OR-2-04-3140; OR-2-06-3140.

[273] Verizon NJ II McLean/Wierzbicki/Webster Reply Decl. at para. 13.

[274] Verizon NJ II McLean/Wierzbicki/Webster Reply Decl. at paras. 15-17; Verizon NJ II April 15 *Ex Parte* Letter at 2-3. We do not undertake a PON-by-PON review in this expedited proceeding.

[275] Verizon NJ II McLean/Wierzbicki/Webster Reply Decl. at para. 14. (citing Verizon Application I Appendix J, Tab 17 at 21, 30) As a general matter, Verizon notes that that front-end rejects are usually returned quickly, and their inclusion would likely improve the performance data. Verizon also identifies other examples of how MetTel's calculations are inconsistent on their face, such as MetTel's explanation that it excludes Web GUI data, which the Carrier-to-Carrier Guidelines clearly include. Verizon NJ II May 17 *Ex Parte* Letter at 4 (citing October 2001 Guidelines at 21, 30); *but see* MetTel NJ II June 13 *Ex Parte* Letter at 5-6 (explaining that MetTel simply classified all Web GUI PONs as having passed the metric in the interest of expediency, thereby granting Verizon possible (continued....)

concerns about its ability to analyze LSRCs and rejects due to difficulties in obtaining the "flat files," which are records that Verizon uses to calculate performance measurements down to the PON level of detail.[276] However, Verizon is committed to producing and providing the flat files for the most recent month to all requesting competitors on a going-forward basis.[277] To the extent that MetTel continues to disagree with Verizon regarding the calculation of performance measures under the business rules,[278] we expect that the New Jersey Board will engage and resolve these issues through its dispute resolution process or other administrative mechanisms.[279]

(ii) Order Completion Notifiers

102. Until a competing carrier receives an order completion notice, the carrier does not know that the customer is in service, and cannot begin billing the customer for services or addressing any maintenance problems experienced by the customer.[280] Premature, delayed or missing BCNs can cause competitors to double-bill, fail to bill, or lose their customers.[281] To assess the sufficiency of Verizon's order completion notification, the Commission looks to both the provisioning of PCNs, or "work completion" notices, as well as BCNs.[282] More recently, we

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grace items). MetTel raises other challenges to Verizon's notifier calculations, asserting that (1) Verizon issued multiple copies of notifiers and counted the latest one; (2) Verizon issued both an LSRC and reject on a single order and counted the LSRC; and (3) Verizon counted a different notifier in lieu of a notifier that was never sent. MetTel NJ II May 14 *Ex Parte* Letter at 2. In a section 271 proceeding we do not undertake interpretations of business rules as a matter of first impression.

[276] In the absence of flat files in its possession earlier in the proceeding, MetTel submitted that a weighted average of Verizon's response rates for LSR confirmations and rejections in New Jersey is almost three times longer than in Pennsylvania and almost four times longer than in New York. MetTel NJ I Feb. 7 *Ex Parte* Letter at 4. Although Verizon's production of the flat files obviates the need to address this claim dispositively, we note that such a weighted average is not a performance measure approved by the New Jersey Board, and that the disparity between states appears to result from MetTel's averaging different intervals of timeliness without controlling for the percentage of orders that fall into the 2-hour, 24-hour, 48-hour, or 72-hour intervals. Verizon Feb. 25 *Ex Parte* Letter (MetTel Issues) at I.A.3.

[277] Verizon NJ II April 15 *Ex Parte* Letter at 4 (explaining that retrieving and processing past reports is burdensome).

[278] The latest submissions filed in this proceeding indicates that the flat file dispute is, at bottom, a business rule controversy. *See* MetTel NJ II June 13 *Ex Parte* Letter at 4-6.

[279] *See Investigation Regarding Local Exchange Competition for Telecommunications Services*, Docket No. TX95120631, Order on Reconsideration (rel. June 19, 1998).

[280] *Bell Atlantic New York Order*, 15 FCC Rcd at 4052-53, para. 187.

[281] *Verizon Pennsylvania Order*, 17 FCC Rcd at 17446, para. 43; *Bell Atlantic New York Order*, 15 FCC Rcd at 4052-53, para. 187; MetTel NJ II Comments at 7. Among other problems, MetTel points to the significant costs that a competitive LEC incurs in time and money to identify and remediate "false" notifiers, as well as the appearance to the end user that the competitive LEC is a low quality provider. MetTel NJ I Feb. 1 *Ex Parte* Letter, at Slide 11.

[282] *Bell Atlantic New York Order*, 15 FCC Rcd at 4053-54, para. 188.

have recognized that BCNs inform competitors of the completion of both provisioning and billing.[283] As described below, we find that Verizon issues order completion notifiers in compliance with checklist item two.

(a) Accuracy of Order Completion Notifiers

103. Based on Verizon's performance data and KPMG's evaluation, we find that Verizon provides accurate order completion notifiers. MetTel challenges the validity and accuracy of certain data that Verizon submitted in this proceeding regarding the accuracy of Verizon's order completion notifiers. Relying on data generated by its own databases, MetTel represents that it has analyzed the PCNs and BCNs generated and transmitted by the Verizon systems, and claims the analysis has shown that customer usage data does not conform to the information supposedly relayed by the notifiers.[284] More specifically, MetTel argues that a significant number of Verizon's completion notifiers falsely indicate that the order has been completed because MetTel's own data have shown (1) an absence of usage three or more days after an account has purportedly been migrated to MetTel; (2) the existence of usage by a customer after suspension of service but before a restoral or disconnection; and (3) the misdirection of long distance calls to a carrier other than the presubscribed carrier.[285] MetTel claims that during the section 271 hearing before the New Jersey Board, Verizon failed to explain specifically its response to MetTel's problem of delayed and missing usage,[286] and that the Board's decision was based on "incomplete information."[287]

104. We are unpersuaded by MetTel's own data and find that Verizon's PCNs and BCNs are sufficiently accurate to allow an efficient competitor a meaningful opportunity to compete. As an initial matter, we note that KPMG tested the accuracy of Verizon's completion notifiers and found them to be accurate.[288] Furthermore, we find it significant that no other party has raised such a threshold allegation in this proceeding. If Verizon were systematically generating inaccurate completion notifiers, we would expect other carriers to experience similar problems. Although MetTel identified this issue during the state proceeding, as well as during the pendency of NJ I, no other party has raised this issue or reported similar problems.

105. In addition, contrary to MetTel's criticism of the sufficiency of the state section 271 hearing, the state's administrative record on the issue of data accuracy appears to be detailed and extensive, and we accord substantial weight to the New Jersey Board's factual findings on

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283 *Verizon Pennsylvania Order*, 16 FCC Rcd 17446, para. 43.

284 MetTel NJ I Comments at 8-9; MetTel NJ II Comments at 6-14.

285 MetTel NJ II Comments at 7-8.

286 MetTel NJ I Comments at 10-11.

287 MetTel NJ I Feb. 1 *Ex Parte* Letter at 22.

288 KPMG Final Report, at 111 (Test TVV1-3-8, TVV1-3-9).

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