BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

In Re: Docket to Establish Generic Performance Measures, Benchmarks, and Enforcement Mechanisms for BellSouth Telecommunications, Inc.	))))	Docket No. 01-00193

COMMENTS OF CLEC COALITION

COME NOW, MCI WorldCom Communications, Inc. and MCImetro Access Transmission Services, Inc. ("WorldCom"), and AT&T of the South Central States, Inc. ("AT&T") (hereafter collectively the "CLEC Coalition"), and DIECA Communications Company d/b/a Covad Communications Company ("Covad") and respond to the Tennessee Regulatory Authority's ("TRA") April 16, 2002 request for comments regarding Docket No. 01-00193. Specifically, the CLEC Coalition will respond to the following requests posed by the TRA:

1. Parties should submit business rules for the adopted measurement, Percent of Timely Loop Modification/De-Conditioning on xDSL Loops within ten(10) days of deliberation on this issue.

2. Parties should submit language within the business rules clarifying the "statistically valid" sampling techniques that are acceptable for the adopted measurement, Service Order Accuracy, within ten(10) days of deliberation on this issue.

The work done by the TRA in adopting performance measurements, performance standard and enforcement mechanisms in Docket No. 01-00193 represents a significant step toward ensuring nondiscriminatory treatment of competitive carriers in Tennessee. By building upon the important achievements in this docket, the TRA can continue to develop and update mechanisms to ensure BellSouth's compliance with its contractual

obligations, to accurately measure BellSouth's performance, and to enforce through appropriate penalties BellSouth's failure to meet its legal obligations. The CLEC Coalition comments below provide some general explanation that address the requests made by the TRA:

REQUEST I: Parties should submit business rules for the adopted measurement, Percent of Timely Loop Modification/De-Conditioning on xDSL Loops within ten(10) days of deliberation on this issue.

RESPONSE I:

TN-P-14, Percent of Timely Loop Modification/De-Conditioning on xDSL Loops

Definition
Some xDSL capable loops require modification/de-conditioning to support xDSL services, including the removal of load coils, excessive bridged taps and removal of repeaters.

Exclusions
- Orders cancelled by CLEC
- "L" Appointment coded orders (where customer has requested a later than ordered interval) .

Business Rules
This metric measures the timeliness of ILEC delivery of xDSL loops that require de-conditioning (which BellSouth call Loop Modification) before the loop is delivered to the CLEC. The interval calculation starts when the CLEC subsmits a correct and complete LSR for an xDSL loop (including, for example, Line Sharing, the ADSL-capable loops, the HDSL-capable loop, the UCL, or the UCL-ND) and a Service Inquiry/Loop Modification form requiring BellSouth to perform loop modification/de-conditioning activities on that loop. The interval ends when the ILEC technician closes the order after successfully delivering a functional loop, including the performance of the requested loop modification/de-conditioning activities. Performance is determined by the percent of de-conditioned loop orders that are successfully delivered within the interval set forth in the benchmark

Calculation
[(Number of xDSL loops on which loop modification/de-conditioning was completed and the loops was delivered within established benchmark interval)/Number of xDSL loops on which loop modification/de-conditioning was requested on the LSR]

Report Structure
- CLEC Specific

- Reported by loop type: 2-Wire xDSL (includes ADSL, HDSL, UCL, UCL-ND), 4-Wire xDSL, Line Sharing, and Line Splitting
- Tennessee Specific

Benchmark: 95 percent within five (5) business days

Enforcement mechanism: Tier 1 and Tier 2

Implementation date: Within 90 days of final Order

Product disaggregation:

No.	Product Level Disaggregation
1	2-Wire xDSL (includes ADSL-capable, HDSL-capable, UCL (short and long), UCL-ND)
2	4 -Wire Xdsl
3.	Line Sharing
4	Line Splitting

Discussion:

The business rules set forth above capture the intent of metric TN-P-14: Percent of Timely Loop Modification/De-Conditioning on xDSL Loops. First, these rules are consistent with the TRA's decision that calculation of order completion interval must begin at the time the CLEC submits a correct and complete LSR. The calculation of whether an ILEC delivers a modified/de-conditioned loop should be consistent with that finding. Further, these business rules insure that ILECs are measured only on the time from submission of a correct LSR and SI/Loop Modification form requesting conditioning to the successful completion of the order, including the de-conditioning work.

The product disaggregation proposed by the TRA correctly identifies the different types of xDSL loops on which modification/de-conditioning may be required. The disaggregation levels have simply been clarified further by adding the specific loop

products that BellSouth consider xDSL loops (i.e. ADSL-capable, HDSL-capable, UCL (short and long) and UCL-ND). Line sharing should be disaggregated as the TRA proposes to insure that this important loop type gets individual attention. Since line sharing is the best way to provide competitive consumer DSL services in Tennessee, it is critical that the reports be disaggregated to reflect this unique loop type.

REQUEST II: Parties should submit language within the business rules clarifying the "statistically valid" sampling technique that re acceptable for the adopted measurement, Service Order Accuracy, within ten(10) days of deliberation on this issue.

RESPONSE II:

Specified below is an explanation of a statistically valid sampling technique:

The sample size needed in any situation depends on the variability of the item of interest within the population and the accuracy of the sample mean that the tester wishes to achieve. In general, the formula for sample size, n, is

$$n = t^2 * \text{population variance} / \text{acceptable error}^2$$

where: "t" is a value taken from a Student's t-table, and

"acceptable error" is the amount of difference from the true population mean that the tester is willing to accept in the sample estimate

For each statistic to be estimated, we must first determine the confidence level we wish to achieve - 95 percent, 90 percent, etc. This choice will determine the value of t in the formula for sample size. For example, if the confidence level is 95 percent, the value of t is 1.96. The higher the desired confidence level, the larger the sample size will be. Second, we must obtain an estimate of the population variance. Since we have historical data on all the measures of interest, the variance computed from the samples previously taken can be used as our starting estimate of the population variance. As with the confidence level, the higher the population variance, the larger the sample size that is

needed. Finally, the acceptable error must be determined, e.g., do we want our estimate of the population miss rate to be accurate within 1, 5, or 10 percentage points. The larger an error we are willing to accept, the smaller the sample size that is needed. Once the values for these variables have been determined, the sample size can be computed using the formula above.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____

Henry Walker
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via facsimile or hand delivery, to the following on this the 26th day of April, 2002.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce St.
Suite 2101
Nashville, TN 37201-3300

Jim Lamoureux, Esq.
AT&T Communications of the South Central States
Room 8068
1200 Peachtree St., NE
Atlanta, GA 30309

Tim Phillips, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202

Jon E. Hastings, Esq.
Boult, Cummings, Conners and Berry PLC
P.O. Box 198062
414 Union Street Suite 1600
Nashville, TN 37219

Charles B. Welch, Esq.
Farris, Mathews, et al.
618 Church Street, #303
Nashville, TN 37219

Dana Shaffer, Esq.
XO Tennessee, Inc.
105 Molloy St.
Nashville, TN 37201

Jack Robinson, Jr., Esq.
Gullett, Sanford, Robinson & Martin, PLLC
230 Fourth Ave., North, 3rd Floor
Nashville, TN 37219-8888

H. LaDon Baltimore, Esq.
Farrar & Bates, LLP
211 Seventh Ave., North
Suite 420
Nashville, TN 37219

Henry Walker

0711046.01
010183-000 04/26/2002