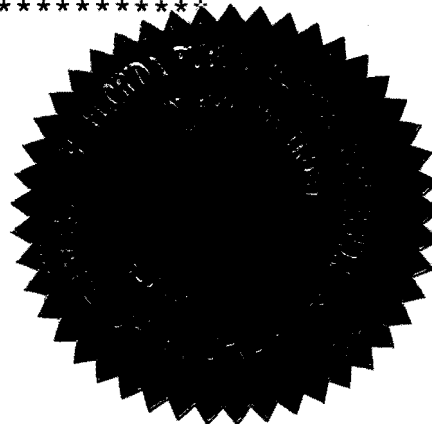


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 991473-TP
: Review and revision of :
: Rules 25-4.066 through :
: 25-4.081 and Rule 25-24.840, :
: F.A.C. :

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PROCEEDINGS: WORKSHOP
CONDUCTED BY: RICK MOSES
Division of Communications
DATE: Monday, January 31, 2000
TIME: Commenced at 9:30
PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida
REPORTED BY: KORETTA STANFORD, RPR
FPSC Commission Reporter

1 IN ATTENDANCE:

2 CHARLIE BECK, Deputy Public Counsel, and EARL
3 POUCHER, Associate Public Counsel, representing the
4 Citizens of the State of Florida.

5 MARY ROSE GUILIANI and WAYNE TUBAUGH,
6 representing BellSouth Telecommunications.

7 HARVEY SPEARS, representing Sprint Florida
8 Incorporated.

9 LAURA GALLAGHER, representing Time Warner,
10 Telecom.

11 TOM McCABE, representing TDS Telecom.

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FLORIDA PUBLIC SERVICE COMMISSION

1 MR. MOSES: We'd like to take appearances at
2 this time, please. Earl or Charlie?

3 MR. POUCHER: Earl Poucher, Office of Public
4 Counsel.

5 MR. BECK: Charlie Beck, Office of Public
6 Counsel.

7 MS. GUILIANI: Mary Rose Guiliani, BellSouth.

8 MR. TUBAUGH: Wayne Tubaugh of BellSouth.

9 MR. SPEARS: Harvey Spears, Sprint.

10 MS. CAMPER: Debbie Camper, GTE.

11 MS. GALLAGHER: Laura Gallagher, Time Warner
12 Telecom.

13 MR. MCCABE: Tom McCabe, TDS Telecom.

14 MR. MOSES: Do we have any who called in over
15 the telephone? I guess not.

16 Okay. If we can start on page one. There's no
17 changes. So, hopefully, that one will get through.

18 Uh-oh, we have a hand raised.

19 MR. TUBAUGH: You mentioned in -- is
20 this thing on?

21 MR. MOSES: Yes.

22 MR. TUBAUGH: In here you talk about
23 demarcation point, you eliminate demarcation point. Are
24 you going to reference the fed, demarcation point
25 (inaudible) POE?

1 MR. MOSES: We had not planned on referencing
2 it. We were going to repeal the rule and the federal
3 demarcation point rule would apply.

4 MR. TUBAUGH: You've got a term in here, the
5 demarcation point at the customer's premissis.

6 MR. MOSES: Where are you reading that from?

7 MR. TUBAUGH: Access line subscriber on the
8 circuit channel between the demarcation point at the
9 customer's premissis.

10 If you're going to eliminate demarcation point,
11 the definition of those two, we need to do something about
12 it, but it's -- I just think that there ought to be some
13 kind of a reference.

14 MR. MOSES: Okay.

15 SPEAKER: Why? Why did you decide to
16 eliminate all those definitions from the rules?

17 MR. MOSES: Well, we had two or three
18 workshops in that multitenant report that went to the
19 legislature.

20 During that time, there was a lot of discussion
21 from the LECs and from the ALECs that the minimum point of
22 point of entry, is defined by the federal communications,
23 was the best way to go to allow all of the competing
24 telephone companies access to the multitenant customers.

25 Rather than just adopt the same language that's

1 in a federal requirement, we decided just to repeal our
2 rule and then let the federal rule prevail.

3 SPEAKER: So, you've actually decided to move
4 the demarc to the network down to the bottom of an
5 apartment complex rather than in the first jack in an
6 apartment?

7 MR. MOSES: That's correct.

8 MR. TUBAUGH: That's not necessarily what the
9 federal rule says. The federal rule says it's an
10 agreement between the property owner and the local
11 exchange company or the carriers where the MPOE goes. It
12 doesn't mean there's an automatic --

13 MR. MOSES: There's several options in there.

14 MR. TUBAUGH: Right. And to the extent that
15 -- there's also comments in an ongoing docket about the
16 demarcation point, you know, maybe you want to make
17 reference that when it's finally decided that we would
18 adopt it, because there's an ongoing dialogue between the
19 FCC and parties about where that ought to be, what it
20 ought to be, whether or not the wires should meet
21 standards.

22 They've got a docket on inside wire standards.
23 For us today in Florida, that inside wire would be inside
24 the customer's premises. If you move that to the MPOE,
25 you're now talking what used to be network terminating,

1 wire.

2 By the way, BellSouth doesn't believe that this
3 is the appropriate thing to do, but as you well know,
4 we've gone on record saying that the only people going to
5 be hurt in this is the customer, and we still believe
6 that.

7 MR. MOSES: Any other comments on the
8 demarcation?

9 MR. TUBAUGH: That was just on the access line
10 definition. We haven't got to demarcation yet.

11 MR. MOSES: Earl, do you have another comment
12 about it?

13 MR. POUCHER: Well, it seems like a really big
14 decision on the part of this commission to move that the
15 demarc and from an apartment, the first termination in an
16 apartment or an apartment complex, to some other location.
17 It's a huge decision. I'm not saying it's right or wrong,
18 but --

19 MR. MOSES: Well, Earl, 49 other states have
20 already done it. So, it's kind of an uphill battle to be
21 the only one hanging out there.

22 MR. POUCHER: Well, Florida's been the only
23 one hanging out there on -- if you were the leader on
24 that, probably. You're probably the first one where
25 you're at. So, that's not unique for Florida.

1 It's a huge decision. I'd have to think about
2 it, but it has very serious possibilities for customers
3 who know that, and can find their demarc in an apartment
4 complex, but they can never get down to a demarc location
5 in an equipment room to test their inside wire versus the
6 network.

7 How do they find the network if they can't even
8 get access to the network terminating location? It's a
9 huge change.

10 MR. MOSES: Okay.

11 SPEAKER: Rick, Charles (inaudible) with
12 (inaudible).

13 Have you given any thought to effective date for
14 the demarc change? You contemplate that it would be the
15 same as any other aspect of the rule?

16 MR. MOSES: If I recall, the federal
17 requirement already has some dates in there as far as what
18 type of buildings and things of that nature, but no, we
19 hadn't. We were just looking at repealing the rule
20 entirely.

21 SPEAKER: But, Charles and Earl, there would
22 be the opportunity to discuss the repeal of the rule, too.
23 You know, we would go to the commission and -- with the
24 proposal to repeal the rule. And you'd have opportunity
25 to --

1 SPEAKER: Sure.

2 SPEAKER: -- address the commission about it.

3 MR. MOSES: They're in the process of that
4 multitenant environment.

5 I think the only two entities that were opposed
6 to changing the demarcation point, if I recall right, is
7 BellSouth and myself, because I wasn't in favor of it
8 either, but the overwhelming comments that were filed, not
9 only by the ALECs and the incumbent LECs was to move it to
10 MPOE.

11 So, that's why we thought it was prudent to do
12 so.

13 Okay. Any other changes on page one?

14 Page two, we made the strike through on the
15 disassociation seem fairly redundant with the release of
16 the circuit.

17 Page three, we struck through a term that's no
18 longer being used in the rules.

19 Page four is nothing more than renumbering the
20 paragraphs.

21 Page five on the definition of a local exchange
22 telecommunications company, we failed to put the date of
23 the time that your certificated, which I think is June of
24 1995 or before, which that way it doesn't capture the
25 ALECs.

1 That was intended to be put in there, but that
2 was an oversight on our part.

3 Is that an oversight or an oversight?

4 Let's see, down at the bottom we struck through
5 main station. That's a term no longer used also.

6 Page six is nothing more than renumbering
7 paragraphs.

8 Page seven, I would imagine, is going to need
9 some discussion.

10 SPEAKER: I've got a (inaudible)

11 MR. MOSES: On page six?

12 SPEAKER: We got the wrong pages?

13 SPEAKER: Okay.

14 SPEAKER: Here's six.

15 SPEAKER: Okay. We'll work through it.

16 MR. TUBAUGH: It's number 43.

17 MR. MOSES: My question is why does everybody
18 got different page numbers?

19 MR. TUBAUGH: Mine's on page seven.

20 SPEAKER: This is where you're at.

21 SPEAKER: Am I the only one that's got a page
22 six?

23 SPEAKER: I do.

24 SPEAKER: They're okay. I'm wrong, I think.

25 SPEAKER: He's wrong.

1 SPEAKER: I think I'm wrong.

2 SPEAKER: I think they're okay, the ones here.

3 SPEAKER: The packet that had the agenda
4 attached to it has a different draft. If you've got that,
5 throw it away and go and get the one that's left over
6 there.

7 SPEAKER: Okay.

8 MR. MOSES: Okay. Hopefully, that's the only
9 thing different is the page numbers.

10 Okay, then. On page seven --

11 MR. TUBAUGH: Specifically, definition 43.

12 MR. MOSES: It's paragraph 43, service
13 trouble.

14 What we're changing there is we're eliminating
15 the term "out of service," because a lot of people use
16 telephone lines for a lot more than just plain telephone
17 service.

18 And noise sometimes would be acceptable if
19 you're having a conversation, but it would be unacceptable
20 if you're trying to use it for other purposes.

21 And we thought that if it's purchased for that
22 reason, it should be able to be used for that reason,
23 particularly if it's staying within the parameters of
24 voice grade.

25 And we felt that a service-affecting problem is

1 just as egregious as an out-of-service problem, if that's
2 the case.

3 That was the reason behind the change.

4 SPEAKER: I would think there's still a
5 distinction between a customer who can't make calls and
6 one that has static on the line.

7 You know, I recognize the difference if you're
8 from an internet connection, static could be a problem.
9 It still seems more important to us to fix a line that's
10 completely out of service than it is to have one with
11 static on the line.

12 I think it's still a valid distinction,
13 understanding the changed use is for telephone. Still a
14 big difference; somebody can't make a call versus can.

15 MR. TUBAUGH: Wayne Tubaugh of BellSouth. In
16 between this one and the changes to the -- not
17 availability service, but trouble reports in the back, it
18 seems like unlike the comments that I just recently read
19 here by the Office of Public Counsel.

20 It seems like that the telephone companies are
21 getting it stuck in the neck to the extent that we've --
22 you know, in our proposal, several of our proposals, we've
23 suggested that we have an average clearing time.

24 And we were willing to give up 48 of 72 hours on
25 service effecting to somewhere around the 25, 26, 27-hour

1 time frame, continue to rebate those customers who, by
2 definition at the time, and we needed to straighten out
3 the time definition on out of service, were out of service
4 for the first 24, but we're giving up 48 hours.

5 And if I read the rule correctly, when we get to
6 it, it looked like to me that anything out after 24 hours
7 should be rebated, whether -- just that it was a trouble.
8 And I thought that that was inappropriate.

9 I would suggest that we come to an understanding
10 about what is deemed service interruption in a different
11 type trouble. BellSouth doesn't have a problem with
12 rebating those who have a service interruption, they're
13 out longer than 24 hours, and would probably agree to
14 rebate those that are -- have another type trouble after
15 48 hours, but -- and I believe that's a compromise, but to
16 rebate everybody after 24 hours, if in fact --

17 MR. MOSES: Well, let's talk about just the
18 definition first before we get into the rebates and the
19 timing and everything else.

20 The problem we have always had is one customer
21 may say they're out of service and the company does all of
22 the testing and find out that they had one digit busted on
23 their phone or wherever the case may be, and it really
24 wasn't an out-of-service problem.

25 The other problem is who makes the determination, if it's

1 out of service and who isn't? Is it the company? Is it
2 the customer?

3 I mean, we've always tried to take the customer's word
4 that if they felt it was out of service, it's out of
5 service, but a lot of times, that's not the case. We took
6 the approach that call a service trouble, a service
7 trouble. Then you don't have any problem trying to make
8 the distinction.

9 MR. TUBAUGH: I don't have a problem with
10 calling a service trouble a service trouble for the -- for
11 clearing, for average clearing time.

12 I do have -- to the extent, and we've suggested
13 this before, and I don't know about the other companies.
14 Based on what the customer reports, if it reports no dial
15 tone or cannot be called, and there's a mechanized test.
16 Nobody fools around with the test. And we would make
17 available those test criteria to the commission to make
18 sure they agreed with it.

19 And next, if both of those fail to indicate now
20 to service and the repairman gets out there and the drop
21 is disconnected from the protector, you know that the line
22 was out of service, that in those instances that phone
23 would be out of service.

24 I mean, you don't have somebody in here judging
25 it. You got a mechanized test that tells you that it's

1 out of service based on what the customer says. And when
2 the guy gets out there, if it's out of service, he would
3 so mark it.

4 I mean, we've -- we suggested that for a while.
5 When people call in and tell you that they're not getting
6 their messages from their mailbox, does not indicate that
7 they cannot make or receive calls. And we get that all
8 the time.

9 MR. MOSES: But is your issue to the rebate
10 portion of it or the definition of the service trouble?

11 MR. TUBAUGH: The issue, basically, is to the
12 rebate, but to the extent you're going to have a rebate in
13 24 hours, it should be on those that are truly can't use
14 their phone. And then if you don't get to the rest of
15 them in 48 hours, that we would rebate the rest of them.

16 I mean, it just seems like that we suggested
17 something that we think is reasonable. And we are willing
18 to give them money back, but you know, if you've got
19 static on the line, we don't think they necessarily should
20 receive a rebate in 24 hours, but that's -- we can work
21 through those things.

22 I think you got to have a clear distinction, as
23 much as I hate to agree with the Office of Public Counsel,
24 for those folks that do not have use of their service
25 within the first 24 hours. Thank you.

1 MR. MOSES: Harvey?

2 MR. SPEARS: This Harvey Spears with Sprint.
3 Just a comment about -- we just want to comment on the
4 clarification that you just mentioned about voice-grade
5 service, that that's clarified in there.

6 And that known -- I didn't see, as I read
7 through the rule, a reference to known nonregulated being
8 excluded. In other words, someone calls and says the jack
9 in the bedroom is defective. Would nonregulated still be
10 excluded?

11 MR. MOSES: Well, that's further back in the
12 rules. Right now we're just up here on the definition
13 section. So, let's go through this one page at a time.

14 MR. SPEARS: Okay. Thank you.

15 MR. MOSES: Otherwise, I get confused easy.

16 SPEAKER: Let me add a comment. Wayne, do you
17 have some suggested changes for that definition that would
18 take care of that issue that you and public counsel agree
19 on?

20 MR. TUBAUGH: Yes, ma'am. Wayne Tubaugh of
21 BellSouth.

22 What I had indicated it was 43 ought to be
23 titled "Troubled Reports," and that you'd have service
24 interruption. And in that, it would be any trouble as
25 reported by the customer, tested by the mechanized system

1 with an interruption -- and I can't read my --
2 interruption fault or determine out of service by a field
3 technician and would be subject to a rebate.

4 And then I went on to say a service -- that's a
5 service interruption and then a service trouble would be
6 reported by the customer where the customer's unable to
7 effectively use his line or their line. But that was
8 something that we had suggested before.

9 And then the rebates, for those that have a
10 service interruption, if you agreed with the definition,
11 which we would allow ya'll to look at the test criteria to
12 make sure that you agreed with it, that we would rebate
13 those with service interruptions in 24 and those who had
14 service effecting after 48.

15 And clearly, we believe -- we'll deal with this
16 definition, and I'll get the average time later, but that
17 would be our suggestion. It was in our comments when we
18 filed, too. Thank you very much.

19 MR. MOSES: But also in your comments, did you
20 not file this call a trouble a trouble? You didn't have a
21 distinction between the two?

22 MR. TUBAUGH: In our comments, because of the
23 rebate issue, it was -- there was trouble reports, okay?

24 MR. MOSES: Which is what we've done here.

25 MR. TUBAUGH: Yeah.

1 Yeah, but you also hit me with some extra hard
2 rebates in the backs region we've --

3 MR. MOSES: We're not there yet.

4 MR. TUBAUGH: I understand that. But this
5 right here impacts what you've got in the back.

6 MR. MOSES: Okay.

7 SPEAKER: Mark, let me try to placate Wayne
8 and suggest we're really not on the same tune here.

9 MR. MOSES: I didn't think so.

10 SPEAKER: I tell ya, as I see it, Bell's
11 distinction is for their 30 cents a day rebate. That's
12 where they want the distinction made.

13 We want the distinction made for the actual
14 repair, repairing out-of-service conditions more quickly
15 than service effecting, okay.

16 I didn't really understand. Did GTE and Sprint
17 agree with these changes or not? Do you want them the way
18 staff proposes or do you want it the way it was or is?

19 SPEAKER: You mean, with what BellSouth --

20 SPEAKER: No, the staff's proposal to combine
21 troubles into one category.

22 SPEAKER: We really don't have a problem with
23 that aspect of it. It's the -- we probably will come back
24 and suggest some language to fine tune the language to
25 comport with Rick's intent there about voice-grade

1 service, but -- no, we haven't. We're not taking issue
2 with that bifurcation, with collapsing the bifurcation.

3 SPEAKER: Yeah.

4 MR. MOSES: Debbie?

5 SPEAKER: Right now on the page for
6 definition, I don't have any concerns yet.

7 MR. MOSES: Okay. Yet.

8 SPEAKER: Our distinction between all of them
9 is that we want out-of-service conditions fixed more
10 quickly than service effecting.

11 SPEAKER: Well, let me just ask Charlie a
12 question.

13 Would you prefer to have it the way it was
14 before or can you think of some way to deal with that
15 question?

16 SPEAKER: It's not the way it was before. It's
17 the way it is, but if they wanted to tinker with the
18 service effecting versus out of service, I'm sure we can
19 discuss that, but our differences are the fundamental
20 matter, if we're going to treat them differently or not.

21 MR. TUBAUGH: BellSouth again. We wouldn't
22 have a problem with it, if we can fix the issue in the
23 back about, you know, going -- we clearly believe a
24 trouble is a trouble. And we devote the same amount
25 attention to it, because a customer wants to use the

1 telephone.

2 The problem was that right now 40% of our
3 troubles is what used to be classified as out of service
4 or what we classified as out of service in disagreement
5 with ya'll.

6 And then 60% were those where the customer could
7 use their line. And we agree that they ought to be fixed
8 in the same amount of time, but we don't necessarily agree
9 that those 60% should get a rebate for that.

10 MR. MOSES: Well, let me give you my theory on
11 the troubled reports.

12 Back 40 million years ago, back when I used to
13 run a repair route, we would have to call a dispatcher,
14 and we would get yanked around that city all over the
15 place.

16 I'd end up with more windshield time than I did
17 repair time, because everybody was panicking trying to
18 meet the commission rules of the 24 hours. So, I ended up
19 spending most of my day driving.

20 The theory behind what we have done here is to
21 allow the companies the ability to dispatch more
22 efficiently. They could set the city up in quadrants or
23 however they want to. All of the troubles are treated the
24 same.

25 They can dispatch their people in a smaller area

1 where the person's done more actual work on the trouble
2 reports than they are driving.

3 And that's why we've made this standard that an
4 average installation -- I mean, an average repair interval
5 of 24 hours, because they would realize some efficiency of
6 scale by doing that, which we think ultimately the
7 customers are going to get their troubles fixed quicker
8 than what they would under the existing rules.

9 MR. TUBAUGH: BellSouth supports those
10 comments 110%, because that's exactly what happens today.

11 SPEAKER: Stan (inaudible) here with Sprint,
12 Rick.

13 Of course, I think the people who are out of
14 service are going to get fixed less quickly and perhaps
15 the service effecting will be more, but you've loosened up
16 the overall standard at the same time.

17 We just disagree. I think that --

18 MR. MOSES: All right. Let's talk about the
19 standard just for a second, which is not what I intended
20 to do, but right now you've got a peg count standard,
21 right? Do you agree with that?

22 SPEAKER: What do you mean by peg count?

23 MR. MOSES: It comes up to the 90% or 80% or
24 whatever the rule is. Beyond that, that troubled report
25 can hang out there for six months, and we don't know if it

1 ever gets cleared.

2 SPEAKER: Right.

3 MR. MOSES: But it's already hit the criteria.

4 SPEAKER: 95% in 24 hours for repair.

5 MR. MOSES: By going to average speed, the
6 longer that hangs out there, the faster they're going to
7 have to get on the other side of that scale in order to
8 meet the standards.

9 So, it holds them more responsible on the
10 overall standard.

11 SPEAKER: I don't agree. If you're fixing
12 most of them in, say, eight hours. Let's say they fix 80%
13 of them in the same day, you know, in eight hours, you can
14 have an awful lot of 15 and 30 days out of services and
15 still meet the average time.

16 The difference between having 95% in a period
17 and an average 24 hours and average is huge, which is one
18 of the ques -- I guess I'll wait for later on. I was
19 going to ask you to describe that difference.

20 MR. MOSES: Okay. All right.

21 MR. TUBAUGH: Again, if we -- BellSouth says
22 we can work through the issues, and that one, we can live
23 with this definition, because we agree that a trouble is
24 truly a trouble.

25 The only reason we brought this up is because

1 the number of troubles that would be rebated in a shorter
2 period of time.

3 MR. MOSES: Okay.

4 MR. SPEARS: Rick, also -- Harvey Spears with
5 Sprint.

6 We're not going to stay in business very long,
7 if we keep them hanging out there 30 days or extended
8 periods of time, so...

9 MR. MOSES: Okay. Let's move to page eight.
10 I'm sure this one will go right passed all of you, this
11 reporting areas.

12 What we tried to do -- we realize there's a
13 mathematical problem in the reporting of things. Because
14 of the very small exchanges, you can have one trouble
15 report in there. And if you miss it, you missed the
16 standard.

17 Whereas, compared to another central office,
18 it's got 40,000 access lines, you can miss a whole bunch
19 of them and never miss the standard.

20 So, what we tried to do is come up with some way
21 of being able to combine some of the central offices for
22 reporting purposes. And we couldn't really come up with
23 anything that wouldn't be so difficult to try to implement
24 that we thought, well, let's go with area codes, because
25 that's fairly defined, and everyone knows what it is and

1 what central office lies in each one of them.

2 So, all of them (inaudible) to comment?

3 Charlie, do you want to start?

4 SPEAKER: Sure. I think one of the reasons
5 for originally having each exchange is that there is a
6 concern that the rural areas, the less populated areas,
7 wouldn't receive the same quality of service as would the
8 urban.

9 If you take together by area code, you're going
10 to blend in together urban and rural. And so, that
11 distinction will no longer be true. And we think what
12 you'll find is that the rural areas will see worse service
13 than will the urban. That's the fundamental problem we
14 see with what you've got proposed.

15 We wonder if the staff has sought any documents
16 from the company or asked them whether they treat rural
17 and urban differently right now. And what the affect of
18 this rule would be on rural service.

19 MR. MOSES: Well, there's so many other
20 proceedings out there that are addressing rural service,
21 we didn't have as large a concern about it as we would
22 have in the past.

23 SPEAKER: What percentage are those?

24 SPEAKER: Well, I just read a report about the
25 rural -- what was the name of that document that Clayton

1 came up with?

2 SPEAKER: Nationwide one?

3 MR. MOSES: Yeah.

4 SPEAKER: Yeah, I know what you mean. They
5 just released their second report?

6 MR. MOSES: Yes.

7 SPEAKER: Yeah.

8 MR. MOSES: Yes.

9 SPEAKER: That's a task force on a nationwide
10 basis. What we're looking for is right here in Florida.
11 And that's our concern, Rick. I'm not going to belabor
12 it.

13 MR. MOSES: I understand.

14 Yes, Wayne?

15 MR. TUBAUGH: Wayne Tubaugh of BellSouth. We
16 fixed the folks in the rural areas as fast as we fix
17 anybody else.

18 Secondly, not unusual to disagree the fact that
19 Mr. Beck said that the rules originally were established
20 by exchange. These things were to protect the small
21 folks.

22 It was in one of these rules that were developed
23 a number of years ago. Best I can read, when I read them,
24 was that they were looking for a place to measure it, and
25 had to be by exchange, because that's what they had. I

1 disagree with the NPA, because the NPA creates a problem.
2 And I'll give you an example of the problem.

3 You have 407, and used to be 407 over on coast
4 in Melbourne. And now they're splitting it between 321.

5 So, you've got 407 in Orlando. They just made
6 321 over in -- on the coast. And yet 321's going to be an
7 overlay for 407. So, you're going to have two 407 and a
8 321. And I'm going to have to set up my data base to
9 include those things.

10 And if they lay another one on top of that or
11 split one, then I've got to change my data bases again. I
12 would suggest that so far, except for small changes, the
13 LATA boundaries, don't change.

14 I mean, there are a few changes in small amounts
15 of customers who ask for changes in the LATA boundary.
16 And that takes a fed approval to change that LATA
17 boundary. And they remain pretty much solid.

18 MR. MOSES: So, what would you suggest for GTE
19 that doesn't have a LATA? Just use the marketing area.

20 MR. TUBAUGH: Yeah, I guess. A thought they
21 had a LATA boundary. Market area. Thank you, market area.

22 MR. MOSES: GTE have any comments on that?

23 SPEAKER: We were happy with the NPA. So,
24 market area, not a problem.

25 MR. MOSES: Sprint?

1 SPEAKER: We had a similar concern that
2 Mr. Tubaugh expressed about the NPA, but not to the extent
3 of throwing the baby out with the bathwater.

4 Maybe you could freeze those areas at a time
5 certain, something like that. I don't know if that would
6 then mess up how you reported, if you kept track of the --

7 MR. MOSES: Because the main thing we were
8 trying to fix is the small exchange problem when we looked
9 at this.

10 SPEAKER: Question. What's the problem with
11 the small exchanges?

12 MR. MOSES: Well, look, you've got a very
13 small exchange, and you only have maybe one trouble
14 report, and you end up missing it, you've missed the
15 requirement.

16 So, that's not fair to the company, whereby
17 you've got a large exchange that they can miss quite a
18 number and not miss the requirement.

19 So, how do you not look at that as a rule
20 violation?

21 SPEAKER: So, now, the solution is to allow
22 them to miss all of them in the exchange.

23 MR. MOSES: No, Earl, that's not true.

24 SPEAKER: Wait, wait. Wayne Tubaugh wasn't
25 here when that rule was introduced. And that rule was

1 introduced to protect the small exchanges, because it's
2 not highly efficient to send people to small exchanges for
3 repair, unless they have a full day's work.

4 And small exchanges, prior to the implementation
5 of that rule by this commission in Florida, receive
6 terrible service compared to the service that they were
7 receiving in the big exchanges. And the same thing will
8 happen when you stop measuring service on an exchange
9 basis.

10 Now, we propose something that's entirely
11 different that's not on the table that will allow the
12 companies, when they choose to miss service commitments,
13 to give a rebate to customers.

14 And I think if you'd look at that kind of a
15 program, it would protect the rural customers. What we
16 are proposing here --

17 MR. MOSES: But Earl --

18 SPEAKER: -- it's going to lay them out.

19 MR. MOSES: Under that same procedure,
20 wouldn't it be cheaper for them just to give that rebate
21 to the customer and still miss the rule?

22 SPEAKER: Yes.

23 MR. MOSES: So, then why is that going to fix
24 anything.

25 SPEAKER: Well, the rebate would be an

1 incentive. I think the incentive, whether it's high
2 enough or not, is a question, but none of the companies
3 like to give rebates.

4 And I think it would be an incentive to give
5 them -- the incentive to give good service in all of the
6 areas and to meet as many as they can, but -- and if they
7 don't provide the equal service, if they don't meet the
8 requirements of the commission then the customer gets a
9 rebate.

10 At least the customer gets something. Before the
11 current rule was adopted, allow the rural exchanges to
12 receive very, very poor service, compared to the urban
13 exchanges.

14 And it will happen again, because there's no
15 incentive for the company to really spend a lot of
16 resources to meet its service requirements in a small
17 exchange where there's no competition.

18 SPEAKER: Rick, let me ask you in the
19 definition in number 40. It's the last sentence says,
20 "Data for each exchange within an area code shall be
21 combined for reporting purposes."

22 Is it your intent that the data still will be
23 maintained by the company on an exchange basis? And I
24 guess -- are you saying that the companies could then
25 (inaudible) in the tracking the --

1 MR. MOSES: We could do it one of two ways.

2 We could either have it combined as a total or
3 we could have it reported by exchange basis.

4 And then for the purposes of determining whether
5 you complied with the rule or not, be a combination then.
6 But I think that would get to Earl's problem of a
7 continuing monitoring situation where we could see that
8 the rural exchanges are still being served properly.

9 SPEAKER: I mean, I know that any desire we
10 had to move the reporting and measurement this way had
11 nothing to do with trying to change the service that was
12 offered in the rural areas.

13 MR. MOSES: No, no.

14 SPEAKER: And I'm just looking for something
15 that we could -- that if we went this direction, as long
16 as our records were still there that they could be -- you
17 could demonstrate that nothing had changed. You just
18 don't have that statistical anomaly that you have.

19 MR. MOSES: Okay. Wayne?

20 MR. TUBAUGH: Wayne Tubaugh, BellSouth.

21 I don't like to do this, but I'm going to do it
22 anyhow. I take exception to Mr. Poucher's comment about
23 fact that it did and would allow us to provide poor
24 service to the exchange and will in the future.

25 If you go and talk to our customers in each

1 public hearing you have, the indication is that BellSouth
2 provides the same level of service to all those folks.
3 Thank you.

4 SPEAKER: Excuse me --

5 SPEAKER: Well, let's --

6 SPEAKER: Could I add one other thing? I'm
7 just adding something.

8 MR. MOSES: No, Earl, let's just move on. I
9 think we've rebutted that enough. Just hang on a minute.

10 MR. POUCHER: I'm not talking about that.

11 MR. MOSES: Just hang on.

12 MR. POUCHER: Could I -- could I give you the
13 last comment?

14 MR. MOSES: No, no. Let's not just right at
15 the minute. What I want to do -- just hang on. I would
16 like to ask one other question here.

17 Has any of the companies got a problem
18 continuing to report by exchange in the reports? That way
19 we get to the problem, I think, that Earl is mentioning.

20 SPEAKER: Clarify what you said for me.
21 Provide data by exchange, but back to what you said about
22 summary level at area code or something else?

23 MR. MOSES: Right. Whether we end up with an
24 NPA or if we end up with a marketing area or LATA
25 boundaries or whatever the boundary ends up being for the

1 reporting area, it be combined for the purposes of
2 determining whether you met the standards in the rule, but
3 reported on an exchange basis within that reporting area.

4 SPEAKER: In order to get some changes made,
5 we don't have a problem with that at all.

6 MR. MOSES: Okay.

7 SPEAKER: Sprint assumed that we would be
8 tracking it on an exchange level and tiering it for rule
9 compliance to a different level, be that market area or
10 area code.

11 MR. MOSES: Now, Earl? Do you want to make
12 your comment now? I don't want to get this into big
13 arguments over who was here during the rules.

14 MR. POUCHER: I was just going to tell you
15 that we don't think area codes will work.

16 MR. MOSES: What do you suggest?

17 MR. POUCHER: If you really decide to abandon
18 the exchange monitoring, and a companywide basis is the
19 only way to measure it.

20 MR. MOSES: So, you don't even want any
21 exchanges reported?

22 MR. POUCHER: No, no. We want the exchanges
23 reported and measured, but, you know, if you just deny
24 everything we're telling you, and suggesting that you do,,
25 area codes are not relevant.

1 MR. MOSES: Let me back up a minute here. Let
2 me just explain one more time what I envision it working.
3 And maybe we're talking past each other here, I don't
4 know.

5 For the purposes of whatever the requirements
6 end up being in the rules, we were looking at that as the
7 area code level. That may change to the LATAs or whatever
8 the boundary ends up being.

9 But then within that requirement, what we're
10 just discussing is that you continue to report the
11 information on an exchange basis but for aggregating all
12 of that information to see if they're in compliance with
13 the rule.

14 SPEAKER: Couple problems, and then we're
15 going to leave it. You have several areas in the state.
16 We have the concentrated growth overlays.

17 Wayne mentioned one. You have another one down
18 where 305 covers Keys and Dade, I forget 76 or whatever it
19 is, Justin is Dade. They're also constantly changing.

20 Right now you have a bunch of area code
21 proceedings. If you had this in place right now and 904
22 one area, well, a year from now it's going to maybe be two
23 areas. So, it's a constantly changing standard.

24 MR. MOSES: So, what if we went to LATA
25 boundaries?

1 SPEAKER: We don't agree with any of it. So,
2 don't ask us to fix a thing that we don't think should be
3 anyhow.

4 MR. MOSES: Okay. Page nine, any comments?

5 Page ten. We changed the report of
6 interruptions to put a specific number in there, because
7 it was always kind of arbitrary as to when you needed to
8 report it and when you didn't.

9 Any comments?

10 MR. SPEARS: Harvey Spears with Sprint. Help
11 me understand why the commission would want to lower that
12 level to 15 minutes as opposed to, say, a level of 30
13 minutes.

14 And the reason I ask that is that it's not
15 unheard of, obviously, in telecommunications business to
16 have these little burps that occur that are not seriously
17 impacting in the community, other than maybe cutting off
18 your call at the moment, which would be considered
19 serious, but they're not lasting in duration.

20 What would be the purpose of adding -- changing
21 it to 15 minutes, which is going to cause us to send you
22 more reports and more reports for you to take a look at?

23 MR. MOSES: What we were trying to figure is w
24 is what was the level that was going to affect enough
25 customers that Consumer Affairs is going to start getting

1 some calls.

2 And we figured 1,000 customers out of service
3 for 15 minutes or more, they would probably start getting
4 some calls. And if we had the report, we would at least
5 know what the outage was.

6 MR. SPEARS: I understand. I think the
7 thousand level is very good. It takes away the multiple
8 reports of the small areas or small numbers.

9 I think that you might find in my 12 years of
10 handling complaints with sprint down at our headquarters,
11 that most of the outages that or less than 30 minutes, 30
12 minutes or less, you don't hear much about it.

13 You do hear from a few customers, and you need
14 that just like if your power goes out. The power company
15 hears from a few customers so that they know they can take
16 action, but they don't hear from all the customers.

17 Therefore, the 30-minute level seemed to be more
18 appropriate is what we would suggest. Thank you.

19 MR. MOSES: Okay. Anyone else have a comment?

20 Okay. On page 11, anybody want to discuss the
21 demarcation any further?

22 MR. TUBAUGH: Wayne Tubaugh of BellSouth.

23 Only to the extent that something needs to be
24 referenced. I mean, you take it away, when does our
25 responsibility start, stop?

1 If you're going to reference the fed rule and
2 what actions they take, ya'll may want to make comments on
3 some of the stuff that they're doing, too. It just needs
4 to be somehow defined.

5 Thank you.

6 MR. MOSES: We have filed comments on some of
7 the demarcation issues in the past. One reason that we
8 were kind of refraining from referencing the federal rule
9 is, say, if for instance, they go to rule making and it
10 changes in numeric number, or if there is some change in
11 it and we have something referenced different in our rule,
12 then we've got to go back to rule making.

13 And if the intent was just to follow the federal
14 standard, and the federal standard applies to you absence
15 any state rule, unless we were preempted, it just didn't
16 seem necessary to have a rule here, but I'll default to
17 the legal folks on that.

18 SPEAKER: Well, Wayne, let me look at it. I
19 understand your point, that you just want to make sure
20 that there's something in there to clarify what your
21 responsibility is.

22 Let us look at it. And let's see if we can come
23 up with something.

24 SPEAKER: This -- I think Sprint wants to take
25 a look and see whether you can just flash cut and whether

1 the federal rule just asks us to step in its shoes of
2 what's there now and whether there should be a transition
3 time or different effective date, if you go that way. So,
4 we want to take a look at that as well.

5 MR. MOSES: I mean, personally, I like the
6 demarcation rule like it is. I prefer to keep it, but I'm
7 just one person here. Okay. Page --

8 SPEAKER: Isn't there a law -- aren't there a
9 lot of references in the company tariffs and your other
10 parts of the rules that use the word, "customer premissis"?

11 MR. MOSES: There may be.

12 SPEAKER: And you're eliminating that.

13 MR. MOSES: We're eliminating it as far as a
14 standard by this commission, yes. There's still a
15 demarcation point. It's just federally mandated, not by
16 the state.

17 Were you in the proceedings of that multitenant?
18 Did you go to any of those workshops?

19 SPEAKER: Too many.

20 MR. MOSES: Well, then, you understand what
21 we're up against.

22 Page 14, we don't have any changes.

23 Page 15, we took out a date that no longer means
24 anything.

25 16, no changes.

1 SPEAKER: What page number?

2 MR. MOSES: I'm sorry. Let me just start
3 referencing rules then, because some of you have a
4 different thing.

5 Page 16 is where they have the Spanish
6 requirements in the --

7 Page 17 is where we're striking the internet
8 address, which has changed to a little bit easier address.

9 Yes?

10 MR. TUBAUGH: Wayne Tubaugh of BellSouth. And
11 I apologize for not getting to this quickly back on page
12 13.

13 Three network facilities, up to and including
14 the demarcation point, are part of the telephone network
15 provided and maintained by the telecommunications company
16 under (inaudible)

17 You know, this is a -- I don't know about the
18 rest of them, but this is a biggie for me. It
19 specifically defines what I am in (inaudible).

20 If you move the demarcation point out to an
21 MPOE, the property owner and BellSouth agrees to it, it is
22 our position, that our responsibility stops at that MPOE.

23 Everything behind it belongs to somebody else,
24 okay? And this right here would, in fact, continue to
25 define that. You're going to have a lot of customers

1 calling us saying, hey, they've got telephone problems.

2 And we're going to figure out we're okay to the
3 MPOE. And we're going to tell the customer that the dial
4 tone leaving here is fine, they need to fix their own
5 problem, but this helps me out.

6 MR. MOSES: There's something similar to that
7 in the federal standard.

8 MR. TUBAUGH: That's fine. Well, that's good.
9 I'll go back and read the federal standards. I've ignored
10 it for many years, because ya'll have had an excellent
11 rule here in Florida.

12 MR. MOSES: You can tell what he's pushing for,
13 can't you?

14 SPEAKER: We have real problems with this rule
15 for exactly the same reason that Mr. Tubaugh has told you.

16 MR. MOSES: Now, did I hear you right?

17 SPEAKER: Now, he may wish to change his mind.

18 MR. TUBAUGH: Absolutely not. I'm in concert
19 with the (inaudible).

20 On page 17, in the directory you have advised us
21 when Mr. Reith was here that we should explain in our book
22 a layman's description of inside wiring, a layman's
23 description of the demarc point.

24 That goes away, because you can't have a
25 layman's description of a lot of words by what the fed

1 says, because the fed says either, or, maybe, could be;
2 ya'll work it out, okay?

3 A layman's description, the customer's
4 responsibility for the wiring inside the (inaudible),
5 generic description of the type of vendor. I mean, if we
6 could --

7 MR. MOSES: That can stay. It doesn't change
8 anything, Wayne.

9 MR. TUBAUGH: It changes where the demarc is.

10 MR. MOSES: All it changes is where it is. It
11 doesn't change anything as far as what you would have in
12 the phone book.

13 The MPOE is still on the side of the house, the
14 same place it is under our rule. The only place where we
15 differ with the FCC is on a multitenant.

16 Now, I understand what you're saying, but I
17 don't think it changes anything in the phone book.

18 Yes?

19 SPEAKER: On page 17, a different issue.
20 You've changed the internet site there.

21 MR. MOSES: Yes.

22 SPEAKER: The only caution I would urge there
23 is -- and we can give you a date that would be
24 appropriate, is there are publication cycles of the books.
25 And I'm not sure under this proposal when we would have to

1 make this change, but didn't want to get caught.

2 MR. MOSES: You're right. We need to put that
3 in here.

4 SPEAKER: One other. If you're at the end of
5 that, while you're updating this section of your rules,,
6 it occurred to me that you don't have anything in here
7 about lifeline, and you probably should have. It's to be
8 consistent with your lifeline proposals in the past and
9 your public information.

10 MR. MOSES: Lifeline's not a part of the
11 service standards.

12 SPEAKER: Lifeline is covered by the order.
13 It's in there, and we're required. It's not in the rules,
14 but there's another requirement. So, it's in the
15 information pages for the customers.

16 MR. MOSES: We'll check and see if it's being
17 done in some other proceeding. If it isn't, we'll include
18 it in here.

19 SPEAKER: Are you on 18 now?

20 MR. MOSES: I don't know where I am. Hang on
21 a minute.

22 SPEAKER: Don't think so.

23 SPEAKER: Sprint has a concern about
24 subsection "K" on page 18.

25 MR. MOSES: Okay. The evacuation map and,

1 first of all, I guess we have a concern about this is
2 really kind of not related to telephone matters, but the
3 commission wants -- or the proposal is that it go in the
4 book.

5 We have a further concern though about just the
6 scope of information that's encompassed in the phrase,
7 "related emergency information as provided by the county
8 emergency management agencies."

9 We have books, like central Florida book, where
10 you may have -- I don't know how many counties are down
11 there that are covered by that book, but there are many.

12 At some point you're getting to a lot of pages
13 with very little restriction on what those folks could
14 dictate goes in there; multiple evacuation routes. I
15 think this may be biting off a little bit more than you
16 anticipate.

17 SPEAKER: We had a lot of complaint from the
18 counties and suggestions from them that this be put in
19 there, because they were having problems in this area
20 during emergencies. And that's one place that everybody
21 can look.

22 SPEAKER: Well, it seems like the telephone
23 book is pretty much restricted to, as far as what's
24 mandated in there, matters that are directly related to
25 telephone service.

1 And evacuation map and these other issues,
2 especially when you have multijurisdictions, it really
3 starts to get afield. I understand that the commission
4 has been the recipient of these inquiries, but at this
5 point we would have a problem with this, especially in our
6 central Florida book.

7 MR. MOSES: Okay. Anyone else have a comment?

8 Okay. On the next page is a requirement for the
9 relay service access numbers to be published in the book.

10 Okay. The next change is under subparagraph two
11 of 25-4.066, the availability of service. And here is
12 where we're changing the requirement going to an average
13 installation interval of four days for all service orders
14 reported on a monthly basis by the reporting area,
15 whatever that reporting area ends up being.

16 Any -- go ahead, Charlie.

17 SPEAKER: We've got a handout on that,
18 specifically. I guess Earl is going to address that. My
19 question is this. This is a big loosening up. Why? Why
20 do you want to make the installation interval so much
21 longer than they exist today?

22 MR. MOSES: Well, I don't think we're making
23 it that much longer, if you do the math on it. I think if
24 you go to average installation, same reasoning I gave you
25 on the answer time a while ago, that it tightens it up on

1 the backside of it, that the person doesn't end up staying
2 out there forever not getting any service, because the
3 company is still held responsible. And we're changing by
4 one day.

5 SPEAKER: As I see, Rick, you're changing from
6 90% in three days to an average of four days.

7 Do you know what the 90% in three days equates
8 to as an average time, because there's probably a rough
9 equivalency.

10 MR. MOSES: Without running it against some of
11 the actual data, no.

12 SPEAKER: Okay. I mean, we're guessing it's
13 well under two days for an average. And then you're
14 increasing the average to four, and we think that's
15 unacceptable.

16 MR. MOSES: Okay.

17 MR. TUBAUGH: Wayne Tubaugh of BellSouth.

18 We believe that it's going to better serve the
19 customers to the extent that these customers call in here.
20 And what happens is they don't all ask for service in
21 three days today, and they don't ask for service in four
22 days.

23 Most of them, a lot of them, move at the first
24 and the end of the month when their paychecks or their
25 bills come due. And what we do is we don't even count

1 those. You don't even know whether or not we missed them,
2 because they're outside that room, and we don't count.

3 In this particular instance you're going to
4 know, because what it's going to say is you can offer
5 service within four days. That's kind of semi-bifurcation
6 you've got to offer within four days, unless there's
7 something out that there you've told me you can't do.

8 And secondly, that 95% of the time -- and by the
9 way, I don't like the 95%. And I suggested 90, but ya'll
10 have thrown 95 in here; that 95% of the time that you're
11 going to do what you agreed to with a customer, either at
12 his request or what you offered him.

13 And if you don't do that, then you're found as
14 unsatisfactory. So, basically, it's measuring what we are
15 or are not doing based on what the customer requests.

16 And we think, although the 95 is high, that it's
17 an appropriate range rule change.

18 MR. MOSES: Debbie?

19 SPEAKER: Just a couple comments on the
20 section. We're concerned about taking out the language
21 where it makes it clear that if the customer requests a
22 later due date, because you have times that a customer
23 could ask for two weeks out, if they're moving.

24 Right above the language it's scratched out. I
25 feel like we believe that still applies, even though it's

1 later in the rule down under the 30 days.

2 MR. MOSES: What line number are you looking
3 at, Debbie?

4 SPEAKER: On my copy, it's actually line 13,
5 14, 15, right there where the language is struck out
6 before you start talking about average four days.

7 MR. MOSES: Okay. I see where you're talking
8 about.

9 SPEAKER: So, again, we would request the rule
10 be specific about if the customer requests a later date,
11 even the part where special services or equipment is
12 required.

13 And then we would ask the staff to look at the
14 language today, talks about working days adding where it's
15 clear that it's, if it's average installation for, that
16 it's four working days.

17 MR. POUCHER: This is Earl Poucher again.

18 There's just a huge difference between 90% and
19 three days, which in -- based on my experience, the
20 meantime to installation is 1.5 days.

21 And you should know what that number is today
22 before you propose to change it to four days. You're
23 taking 90% in three days, moving it to 50% in four days,
24 which gives you a meantime of four days to installation.

25 That is an awesome change. And if you don't

1 have the numbers and know how much that makes in terms of
2 an impact on customers, I don't know how you can possibly
3 propose that rule.

4 MR. MOSES: Any other comments?

5 MR. SPEARS: Harvey Spears with Sprint.

6 I note the same changes that GTE was referring
7 to.

8 Also, I think this has been clarified, but just
9 one more time for me, Rick. This refers to basic
10 telephone service and the provision of access line
11 service; is that correct, four day?

12 MR. MOSES: Yes.

13 MR. POUCHER: Okay. Does that need to be
14 clarified or are you satisfied it's clear.

15 SPEAKER: Basic -- define basic service. It
16 also includes (inaudible) on the second line.

17 MR. POUCHER: Yeah, yeah.

18 SPEAKER: Okay.

19 MR. POUCHER: We understand that includes
20 primary and secondary access line facilities for
21 residential and small business dial tone. Is that --

22 MR. MOSES: The reason we refrained from basic
23 telecommunications, that's been interpreted in many
24 different ways. And the way the statute's laid out, I
25 think it already covers it. So, we didn't need to put it

1 in the rule, too, but we'll look at it and make sure it's
2 clear.

3 MR. POUCHER: Okay. Thank you.

4 MR. MOSES: Now, where were we? Let's see.

5 Okay, I don't think there's any changes to this other
6 side.

7 Customer trouble reports. Wayne, do you want to
8 start that?

9 MR. TUBAUGH: I'm sorry, I was being talked
10 to.

11 Are we on 23 at "A"?

12 MR. MOSES: You're not paying attention, is
13 that what you're telling me?

14 MR. TUBAUGH: At that particular moment, I
15 apologize, I wasn't.

16 So, at customer trouble reports? Is that where
17 we are?

18 MR. MOSES: Yes.

19 MR. TUBAUGH: Sure.

20 I don't have a problem with it, up to the extent
21 that it seems like the companies are being hammered.

22 We're giving up 48 hours on what used to be
23 perceived as service effecting troubles as opposed to
24 non(inaudible) service. And on top of that you want me to
25 rebate everybody, which is just a statement I made at the

1 beginning.

2 And, you know, clearly, we're going to do our
3 guess a cost thing when we get to this thing. We'll go to
4 hearing and (inaudible) spoke with counsel will be asking
5 to see a lot of documents, but 24 hours, even on an
6 average for all the troubled reports I get on six million
7 telephone lines, is almost impossible when 60% of my
8 trouble load before was service effecting.

9 And, yes, the biggest -- one of the biggest
10 problem I have is economics, and it was running a guy all
11 over town exactly like you described. And we do it today.

12 You know, I would think that, you know, that the
13 average of 26 or 27, which was appropriate, and that's
14 what we suggested before, and then, you know, if a
15 customer -- I don't think I have a problem if a customer
16 calls in here and says I have no dial tone. Then let's
17 just leave it at that. The heck with the tests that we
18 rebate those customers.

19 And anybody that didn't call in here, I don't
20 rebate for 48 or 72 hours, but the only problem I have
21 with the way you've designed this thing is that you've
22 shortened me up in two categories.

23 I think you're taking a lot more than is
24 appropriate. And I think it tightens it up too tight.
25 Clearly, there are other people here that doesn't feel

1 that way. Thank you.

2 MR. MOSES: Debbie?

3 SPEAKER: Again, the 24 hours we had requested
4 something more like 27. Our preference would be that it's
5 something more like 26 or 27, like Wayne had said as well.
6 The -- our real concern, and unfortunately, my experts
7 aren't here today. Their plane was canceled in Tampa this
8 morning, but our primary concern is their on-line
9 beginning 22 to 24.

10 On page 24, talking about when you consider the
11 clearing, the time completed is when the technician enters
12 it into the system.

13 And we've had some discussions off-line; I know,
14 Rick, you and I and the -- and some of the other of your
15 staff, because of the way we have a clear time and a final
16 time. And I guess the only thing I can do, again, since I
17 don't have some of my folks here, I don't have cost
18 information I can give you yet on what this would cost me
19 to change systems, to change the way our technicians do
20 things as far as time in the field.

21 For example, a customer's dial tone may be
22 restored. It may be two hours or more before the system
23 stamps the ticket, because of other work that they do to
24 clean up the area.

25 They may clear three tickets at once as far as

1 restoring the customer's dial tone, but not actually enter
2 it into the system where it has a system stamp until all
3 at one time. Some of these issues we've talked about.

4 And again, other than maybe preparing something
5 for you once we get back, have them talk about some cost
6 to us. Unfortunately, I don't have those people here to
7 explain it any better than that, but we do have a concern
8 with that particular part of the language.

9 MR. TUBAUGH: BellSouth supports GTE's
10 comments in this area.

11 SPEAKER: Sprint Florida does, too. Another
12 example would be network operation centers and techs that
13 are called out over weekends. Those tickets remain open
14 until Monday or the next workday, let's say, if it was a
15 holiday or Sunday, et cetera.

16 MR. MOSES: They don't use the handheld units?

17 SPEAKER: Yeah, they don't close them, Rick,
18 not on weekends and off hours. Anytime after hours they
19 don't use the handhelds.

20 See, not everybody has a handheld, especially
21 contract forces that we use, especially cable outages,
22 some switching type outages or contract forces. Some of
23 the technical folks, say, on switching side of the house
24 and cable don't use the handhelds.

25 Also, I want to make a comment, help me

1 understand the reference to holidays. It makes mention
2 there of service troubles occurring on a holiday not
3 contiguous to Sunday.

4 And then the part where it was contiguous to
5 Sunday or another holiday has been removed. Does that
6 simply mean that a holiday's a holiday as a Sunday is a
7 Sunday? Is that the intent?

8 MR. MOSES: That's my understanding on the
9 view.

10 SPEAKER: Say that again.

11 SPEAKER: Well, the rule makes reference to
12 noncontiguous that will be handled in a certain way. If
13 it's contiguous, how would it be handled or classified.
14 It's still a holiday, right?

15 MR. MOSES: Yes.

16 SPEAKER: So, is there a reason for the
17 reference to noncontiguous?

18 MR. MOSES: Probably not.

19 SPEAKER: It seems clear above that where any
20 repair action involves a Sunday or a holiday, that that
21 covers it.

22 MR. MOSES: All right. Let us take another
23 look at that.

24 SPEAKER: Okay. Thank you.

25 SPEAKER: Rick?

1 MR. MOSES: Yes.

2 MR. POUCHER: Earl Poucher.

3 MR. MOSES: Yes.

4 MR. POUCHER: Back to the language on the
5 clearing times, I think it's a little bit confusing the
6 way the language is written here.

7 Our understanding is that all three of the
8 companies, technicians are able to status trouble reports
9 regarding, you know, where they're at in the repair
10 process, they status it when they go out and are
11 dispatched on the trouble.

12 My understanding is that they all have a
13 statusing line that when the trouble is actually cleared,
14 they have the ability to do that.

15 Not all of them have chosen to allow the
16 technicians to show the trouble cleared at that point and
17 time, but that's an integrity standpoint problem. It's
18 not an operational problem.

19 As long as a technician clears a trouble and can
20 status that trouble --

21 MR. MOSES: What do you mean by status, Earl?

22 MR. POUCHER: There's a -- on the trouble
23 report, it's mechanized. So, it's not a piece of paper,
24 but they can -- they status a trouble when they dispatch
25 on it.

1 So, everybody in the entire system knows, well,
2 we've got the man, he's out there working on it. And
3 there's more than one people -- one person that accesses
4 that trouble during the repair process.

5 So, everybody's going to know where we're at so
6 they can respond to the customer. Well, one of the
7 options is for the repairman to status that trouble as
8 cleared, but stay on it while he does his housekeeping
9 work. And then to close the trouble.

10 And the cleared status is prior to the problem
11 with BellSouth, they used the cleared status to calculate
12 out-of-service times and the clearing times when there are
13 troubles. They can still use that, but there you have to
14 believe that the repairman is going to give you honest
15 information.

16 There's a difference between clearing time and
17 close time. That capability exists. And I think the way
18 that GTE uses it is correct. And they use that cleared
19 status to calculate out-of-service timing and clearing
20 times for the outage.

21 So, there is a difference between --

22 MR. MOSES: But don't we --

23 MR. POUCHER: -- the time to clear and the
24 time to get completed with the trouble because of the
25 housekeeping.

1 MR. MOSES: What we were looking at is some
2 way of trying to time stamp this to where the technician
3 wasn't responsible for when they get it back to the work
4 center at night trying to remember back when they cleared
5 some of the problems.

6 MR. POUCHER: Well, that's the easy. All he
7 has to do is status the trouble when he clears it.

8 MR. MOSES: But if the rule doesn't say it
9 clearly when it's done, then they could still use that
10 same method, right?

11 MR. POUCHER: Well, the rule, as it's written,
12 is unclear.

13 MR. MOSES: Okay.

14 MR. POUCHER: And then on the whole basic
15 rule, while I'm here I might as well tell you. My
16 understanding on meantime to repair, which is what you
17 propose to measure in this rule -- and I may be way off, I
18 don't know.

19 I don't have the data, but I think it's, like,
20 15 hours. And the companies have that data. Do you have
21 it?

22 MR. MOSES: I can get it.

23 MR. POUCHER: No, but before you proposed the
24 rule, did you have it?

25 MR. MOSES: No.

1 MR. POUCHER: Well, I think it might be 15
2 hours. You're going to take meantime to repair from
3 wherever it is out to 24 hours. And then the impact, in
4 terms of the degradation of service, could be huge. I
5 don't know, but I think you'd need to know that before
6 you'd propose this rule.

7 SPEAKER: Rick, let me add a few things, if I
8 could.

9 I mean, obviously, that's one of our concerns.
10 Some of the other things that, you know, that trouble is
11 when you combine this with the region reporting is, again,
12 what it will do to rural areas versus urban areas. We
13 think this will allow poorer service in rural areas. It
14 will also hurt residential customers as opposed to
15 business.

16 Right now when you have a 95% rule, everybody
17 has to be treated that way. If you have one average that
18 combines residential and business, then this will allow
19 the companies to target residential for poorer service
20 than business. It would also allow them to target
21 uncompetitive areas for worse service than competitive
22 areas.

23 It's our feeling that you should seek data from
24 the company about that and about strategies that they're
25 pursuing before proposing this, because when the effects

1 of this rule will allow all of those strategies to be in
2 effect to the detriment of our customers in Florida.

3 Let me also put in there that we think this is
4 very premature, given that there's proceedings, show cause
5 proceedings, against the three companies. This should not
6 go forward with these changes until those evidentiary
7 hearings are completed, in our view.

8 MR. MOSES: I've been hammered from every
9 direction to get these service rules on the books,
10 including your shop. And now you want to back off?

11 SPEAKER: No. We think there should be
12 evidence, that you shouldn't be -- we don't think you have
13 the evidence, first of all, to be proposing these changes.

14 And second of all, since there are show cause
15 proceedings, you ought to get that evidence to see what
16 the problems are before proposing changes to them. That's
17 our view.

18 MR. MOSES: Okay. All right. On the next
19 page we've stricken the service effecting for reasons
20 already discussed, because we were looking at combining
21 this thing as a trouble's a trouble.

22 Let's see here, we've left in the area about
23 priority being given to service troubles about public
24 health and safety. We have stricken repeat trouble. We
25 just tried to clarify the next paragraph.

1 On adequacy of services, anyone have any
2 comments on that?

3 SPEAKER: Hey, Rick?

4 MR. MOSES: Yes.

5 SPEAKER: On the cost of service standards -

6 MR. MOSES: Yes.

7 SPEAKER: How does that have to work?

8 MR. MOSES: What do you mean?

9 SPEAKER: In terms of the 95%. The question
10 is if --

11 SPEAKER: Tom, can you get to a mike, because
12 the recorder isn't picking you up.

13 SPEAKER: I know absolutely nothing about this
14 stuff, so I was just trying to get some clarification for
15 our folks.

16 The question that he had was that if these rules
17 apply only to the local exchange company, and as you have
18 more and more competitors come into a marketplace, if
19 everything is fine on our end, the call does not get
20 completed because of a problem on the other end, it would
21 count against us.

22 Yet at the same time, you're now increasing the
23 standard from 95% to 97%? Is that his -- is his
24 interpretation correct?

25 MR. MOSES: It could be if you're completing,

1 say, a local call from some of your customers to an ALEC's
2 customers; yes, it would.

3 SPEAKER: Exactly.

4 MR. MOSES: Yes, it would, yeah.

5 SPEAKER: So, I mean, it seems that if you're
6 not going to apply this standard across the board, you're
7 now putting additional problems on our company when it may
8 be nothing to do with us.

9 MR. MOSES: Hadn't thought of it quite that
10 way.

11 MR. TUBAUGH: Wayne Tubaugh, BellSouth.

12 Generally, when we're in the field doing these
13 type call completions, when you send (inaudible) out there
14 and they make these call completions, if they've got a
15 problem, they're provided milliwatt numbers to each one of
16 the offices in the state.

17 When they get into trouble with the milliwatt,
18 there's usually somebody they call to ask is there a
19 problem with the milliwatt number itself, you know?

20 And at that point and time, it would be pointed
21 out to them that that office they're calling is not ours
22 and the fact that the phone -- when the phone rings on the
23 end from which the call is being generated, that end
24 works, okay? And they understand that.

25 And if -- you know, (inaudible) whatever it is

1 on the other end where they're getting an office is busy
2 or something, they know it was a determinating end in
3 which the trouble exists.

4 And when it's pointed out to him that it's not
5 ours, generally they have not counted that against us,
6 generally. And they give us the opportunity to explain.

7 MR. MOSES: I'm just thinking that we could
8 fix this rule, if we changed it. Let us think about it,
9 because I think we can fix it to where you won't run into
10 that problem.

11 How about let's take a break until 11:00, and
12 then we'll start up again.

13 MR. MOSES: The next rule is the transmission
14 requirements on 25-4.072 on whatever page number you
15 happen to have on that. Should be around 27 or 28.

16 What we've done there is to propose adopting the
17 ANSI standards for telephone LOOP performance
18 characteristics, which sets forth the variation
19 transmission parameters. One thing that I am suggesting
20 to change in this is to drop the word, "volume and
21 distortion levels," and just put "transmission parameters"
22 in there so it's inclusive of the entire thing instead of
23 just those two parameters.

24 Any comments on that?

25 SPEAKER: I'm sorry, Rick, where was it?

1 MR. MOSES: On the -- where we're adopting it
2 the ANSI standards for transmission requirements under
3 25-4.072 and making the change in there of striking the
4 word, "volume and distortion" and just putting in the
5 word, "parameter," where it's inclusive the entire
6 requirement. And I -- huh? Sorry, go ahead.

7 MR. TUBAUGH: I didn't know whether you'd done
8 it. We're going to go to two and three of that.

9 MR. MOSES: We can.

10 MR. TUBAUGH: Well, as we suggested in our
11 response, number three, central office will be equipped
12 with a minimum of one termination.

13 Generally, the commission staff has liked to
14 hold local exchange companies responsible for that. And
15 in a lot of cases, those inaccesses are taken over by
16 ALECs and ILECs.

17 And we don't have any way to make sure the
18 milliwatt number's available to them. And I just want --
19 we suggested that it so referenced that we don't have the
20 control over those 10,000 number groups that we have to
21 give to other folks.

22 MR. MCDONALD: Well, it's not a central
23 office, basically. That's what the rule says.

24 MR. TUBAUGH: I know, I know, but a lot of
25 times they want a milliwatt number for each 10,000 number

1 group, and we don't have that.

2 MR. MCDONALD: We've never required that.
3 We've required one per central office or three per central
4 office.

5 MR. TUBAUGH: Okay. Sometimes I'm asked for a
6 milliwatt number and can't provide one, but that's fine.
7 As long as that's the understanding, I don't have a
8 problem.

9 MR. MOSES: All right. And no one has any
10 questions about answer time, right?

11 MS. GUILIANI: Nice try.

12 MR. MOSES: Can't blame me for trying.

13 All right. On 25-4.073, answer time. Who'd
14 like to start the round robin on this?

15 MS. GUILIANI: This is Mary Rose Guiliani with
16 BellSouth.

17 I guess the first thing I'd say is at the top of
18 page 29, line two and three, you have in each reporting
19 area? And, I guess, I'm not sure how that would be done,
20 since --

21 MR. MOSES: After we'd thought about it, it
22 wouldn't. We didn't think of that at the time. We're
23 striking that part.

24 MS. GUILIANI: Okay. See, that was an easy
25 one.

1 MR. MOSES: Sounded like a good idea at the
2 time that we drafted it, but more thinking into it you're
3 not going to have a answering point in each reporting
4 area, so --

5 MS. GUILIANI: Right.

6 MR. MOSES: -- we got caught.

7 Any other comments? Anyone?

8 MS. GUILIANI: I guess, if you're going to go
9 over to page 30, and you start talking about the option of
10 transferring to allow attendant should be given 30 seconds
11 and then goes on, can you, I guess, describe exactly how
12 that works in terms of who gets measured --

13 MR. MOSES: Okay.

14 MS. GUILIANI -- how you see that.

15 MR. MOSES: Okay. We envision that the call
16 would come into possibly an IVRU, or whether you use an
17 IVRU, that's up to you, but say it does.

18 Within the 30 seconds that the person enters
19 that IVRU, we believe they ought to have the option of
20 opting out of it. The measurement would begin at the
21 point of when they decide to opt out for the answer time.

22 Does that make sense? In other words, they can
23 play in the IVRU all day long, we don't care --

24 MS. GUILIANI: All right.

25 MR. MOSES -- as long as they're given the

1 option of getting out of it in the first 30 seconds.

2 In other words, in the first page or the second
3 page of the IVRU, option five or whatever you end up
4 putting there, would you like to be transferred to a live
5 attendant.

6 From that point, is when the measurement begins.

7 MS. GUILIANI: Okay. So, if they get that
8 message in the first 30 seconds --

9 SPEAKER: Just the message, yeah. He might play
10 fon an hour before he's in. Oh, I remember now I can hit
11 zero and always opt out and do that. Then we'll measure
12 from whenever he determines that he wants to get out, he
13 or she or whatever.

14 MS. GUILIANI: So, he plays for an hour and
15 then decides he wants to make a selection. Are you
16 suggesting at that point then he gets measured?

17 MR. MOSES: Selection for what, to go to live
18 operator?

19 MS. GUILIANI: To go to a live operator or to
20 go to a billing person or...

21 SPEAKER: Yeah.

22 MR. MOSES: At the point that they make the
23 selection is when it will begin the measurement.

24 MS. GUILIANI: Okay.

25 MR. MOSES: And as far as timing the first 30

1 seconds, that would be at the time that the IVRU answered.

2 Any other comments on that section? Debbie?

3 SPEAKER: Just a question. Just in thinking
4 how complicated it's been in the past to report answer
5 time on our different pieces, as far as this 30 seconds,
6 this would be something that an auditor would verify
7 during an evaluation.

8 I'm not going to have to report that this is
9 happening, because this is a given that this is supposed
10 to happen and it'll be verified or -- what I'm going to
11 report is that the answer time, which is 30 seconds, 40
12 seconds, for whatever office is what you envision?

13 MR. MOSES: Once you test your, IVRU the one
14 time, then that should be a constant. There wouldn't be
15 any variation in it, because you're going to have it in
16 the time that it answers in that first menu or however
17 many menus you can go through in 30 seconds, if that
18 option's available.

19 So, that should be hard-coated in there.

20 SPEAKER: Right.

21 MR. MOSES: So, no, you wouldn't have to
22 report that portion of it.

23 SPEAKER: Okay.

24 MR. MOSES: And the portion we were trying to
25 make it where everybody can measure it, because the way it

1 was before it was from the last digit dialed, which you
2 don't have any control over, is from the point that it
3 starts to hit the queue or the ACD that you're using.

4 SPEAKER: Right. Okay. Thank you.

5 SPEAKER: Rick, this is Charles (inaudible)

6 Would you be open to considering -- I know, I
7 think you're aware we report results for what we call the
8 BCAC, which is our complex business, complex, customer
9 business office line. And it deals a lot with
10 nonregulated services, a lot of CPE, but it's also
11 multiline business customers over four lines.

12 Would you be open to us being able to exclude
13 that, if we can give some language that would
14 definitionally exclude them?

15 I mean, I think the intent here is you're
16 talking about the type of customer that are ones in small
17 business customers in the roles. We would just like to
18 suggest that you consider that.

19 MR. MOSES: The using the same number for both
20 the regulated and deregulated?

21 SPEAKER: Yes.

22 MR. MOSES: I have to think about it.

23 MS. GUILIANI: Actually, that brings up
24 another point.

25 In our comments that we had filed we had

1 suggested excluding small business from the requirements
2 of the answering time due to the competition.

3 MR. MOSES: No.

4 MS. GUILIANI: No.

5 MR. MOSES: That I can answer.

6 MS. GUILIANI: Have you given any thought to
7 there are certain areas that have more competition in the
8 business arena than others in Florida?

9 MR. MOSES: Well, when you do your answer
10 time, you're bringing -- you're aggregating all of this
11 traffic to one or two points.

12 MS. GUILIANI: And that's correct.

13 MR. MOSES: And how are you going to separate
14 all of this stuff? Because we've always heard it's so
15 difficult for you to report this stuff, because you can't
16 identify the traffic. Now, you're saying you can identify
17 the traffic?

18 MS. GUILIANI: No, I wasn't saying that I
19 could identify it. I was just asking a question, if you
20 had given any thought to the fact that there are certain
21 areas in Florida, geographic areas, that have more
22 business competition than others?

23 I mean, I think the commission's report to the
24 legislature said that there's, like, 12% of the access
25 lines in Florida, small business are served by ALECs?

1 MR. MOSES: Maybe the next go around that
2 might be considered, but right now I don't think we would,
3 because I'm not sure that there's that much competition
4 for all of these services.

5 SPEAKER: Just another comment. I need to
6 make sure I bring this up here today. The requirement of
7 the opt out the first 30 seconds, we can live with that,
8 but our preference would certainly be that it be perhaps
9 even in the second choice in the IVRU to again, help avoid
10 misdirected calls from the customers, which is one of the
11 reasons why the companies use an IVRU, just as a comment.

12 MR. SPEARS: To follow-up on that -- this is
13 Harvey Spears with Sprint. On the 30-second, I would
14 support what Debbie's saying, what GTE is saying, that a
15 10-second around 40-second would be more appropriate.

16 What happens in the IVR is we go through the
17 years, and there's changes in that due to the complexity
18 of the business. And we try to help the customer in
19 moving through that thing as best they can.

20 We're going to be back for filing a waiver or a
21 rule change just to change the IVR. The 40-second would
22 give that window. It's not that anyone is trying to trap
23 a customer in the IVR before they get that opt-out
24 message. It's just that it would give it the flexibility
25 without coming back here.

1 Thank you.

2 MR. MOSES: LPC, do you have any comments on
3 this, other than you don't -- no? Okay.

4 SPEAKER: Rick, I've got a question on that
5 one.

6 MR. MOSES: Yeah.

7 SPEAKER: Page 29 on the "A," for calls
8 offered to the LEC provided operator, the average speed is
9 decreased from 30 seconds to 20 seconds.

10 I was just curious in terms of for small
11 companies that I don't believe anyone provides their own
12 operator services.

13 So, we're kind of in a box in terms of complying
14 with the rule based on who we're getting our contracting
15 operator services with.

16 I mean, is there any thought given to, in terms
17 of coming back to us and saying, well, you're not meeting
18 this rule and it's completely out of our control?

19 MR. MCDONALD: It's not completely out of your
20 control. If you have a contract with somebody, then
21 you're going to have to hold them to the --

22 SPEAKER: Well, certainly I can -- sure. I
23 can go ahead and hold the operator services under
24 contract, and I may be able to get whatever restitution or
25 whatever for them to meet their contract, but chances are

1 there's not another person that I'm going to be able to
2 turn to outside the Sprint in my situation and get
3 operator services from.

4 So, I mean, it is out -- somewhat out of my
5 control.

6 MR. MCDONALD: Well, then, if everybody opted
7 to contract out, nobody would have to meet the
8 requirement.

9 SPEAKER: Well, if you'd -- I mean, if the
10 commission prefers to be inefficient and have our own
11 operators, I mean, that's a different story but, you know,
12 those expenses are passed along.

13 It's just a problem, potential problem, not that
14 we'd even come close to having this as a problem. I mean,
15 it's been well within. I don't know in terms of how that
16 might play out in the future.

17 MR. MOSES: The operator services provided by
18 the company is from what I've seen are the data hasn't
19 been a problem.

20 SPEAKER: Not at all.

21 MR. MOSES: So, I don't see it being a
22 problem.

23 SPEAKER: Not at all. I totally agree.

24 SPEAKER: I have a question.

25 MR. MOSES: Nancy?

1 SPEAKER: Two questions.

2 MR. MOSES: Yes.

3 SPEAKER: The first question is on the answer
4 time rules, from what I'm looking at, ALECs are not held
5 to these answer time rules; am I correct?

6 MR. MOSES: That's correct.

7 SPEAKER: Can you explain that, because I
8 thought the commission was real concerned about, you know,
9 customers being able to get ahold of, you know, a carrier
10 or whatever. I mean, they certainly were in the slamming
11 rules.

12 So, I was just trying to figure out what the
13 logic was here. I mean, sure, I realize it's competitive,
14 but a lot of times, if they can't get ahold of their ALEC,
15 do you know who they call? They call us, and that ties up
16 our service rep. And then we get gigged, because we can't
17 answer the phones, because we're having to handle somebody
18 else's.

19 MR. MOSES: But you also have the possibility
20 of getting that customer back, because of the failure of
21 that person to -- or company to perform.

22 SPEAKER: I know, but that's not in the
23 public's interest, though.

24 If you really want to -- if you're looking to
25 really do something for the public, then I can't imagine

1 why answer time is not something that the ALECs would have
2 to be held to just like we would, because that's -- they
3 may say, well, it's too much of an economic burden on
4 them.

5 Well, answering the phone is something the
6 commission wants done. I mean, they want -- they want the
7 person to be able to get ahold of somebody. Now, of
8 course, in the slamming rules they allow the voice mail
9 system, you know, as long as you call back and that type
10 of thing.

11 MR. MOSES: And there is an answer time in
12 that rule, if I recall.

13 MS. GUILIANI: But that's for slamming.

14 MR. MOSES: Well, normally your ALECs are not
15 going to have multiple lines to be calling in for various
16 different things. So, the slamming rule captures most of
17 that.

18 MS. GUILIANI: Maybe it should be
19 cross-referenced in these rules that they should be held
20 to that standard when it comes to answering the business
21 office lines for any other type of call, not just for
22 slamming.

23 MR. MOSES: Okay.

24 SPEAKER: And the other question I had was the
25 30 and the 40, what was the basis for the 30 and the 40?

1 Do you have a --

2 MR. MOSES: A lot of the comments filed were
3 mentioning going to the average speed of answer, and those
4 two figures seem to be reasonable, based on the comments.

5 SPEAKER: Except for us.

6 MS. GUILIANI: Well, if I remember --

7 MR. MOSES: I said most.

8 MS. GUILIANI: If I remember right, I think
9 that GTE and BellSouth proposed 60 ASA.

10 MR. MOSES: But going to average speed of
11 answer, you're going to have some economies of scale there
12 that we felt the standard should be less, not more,
13 because then you're lessening the standard considerably.

14 And as OPC pointed out, they think we're already
15 lessening the standard as going the average speed of
16 answer. So, we didn't want to weaken it any further.

17 SPEAKER: Well, we can talk about that
18 further.

19 MS. GUILIANI: On page 31, you have -- let me
20 see.

21 SPEAKER: Before you go to that, what about
22 the complaints? We had talked about complaints and the
23 possibility of looking at complaints, because we feel
24 like, of course, eventually we would like to -- in fact,
25 we'd like to do that now, of course, is just to say, all

1 right, you know, measure us by our complaints.

2 If our complaints go up on access, then you
3 know, we should be gigged, but how are complaints? Are
4 ya'll even considering looking at --

5 MR. MOSES: We look at complaints now. We
6 look at them all the time. If we see a high level of
7 complaints, then we take whatever appropriate action we
8 think is necessary, but we're not going to look at it as
9 the yardstick for determining your level of service,
10 because most folks don't know to call us and file a
11 complaint. We saw that quite evident in the slamming
12 rules.

13 SPEAKER: But they have -- well, of course, we
14 publish the number in the directories, and we tell them in
15 their bill-ins. I think it's on every one of our bills,
16 in fact.

17 MR. MOSES: Well, I can give you some basis
18 for that. We've had a report that was required of the
19 LECs to provide to us on slamming. How many inquiries do
20 you get as compared to what we get? And then you get
21 50,000 times or more than what we get. So, obviously,
22 they don't know to call us.

23 SPEAKER: Yeah.

24 MR. MOSES: They call you. So, that's not
25 something we think is a good yardstick to use.

1 SPEAKER: But are you opening to discuss that
2 further, though?

3 MR. MOSES: Always open to discuss everything.

4 SPEAKER: Okay.

5 MR. MOSES: That's why we're here.

6 MS. GUILIANI: I had a question on page 31,
7 line -- of course, I don't know if we're looking off the
8 same -- line 12 under "E." The term answered is used in
9 subparagraphs A, B, C. Should that include "D"?

10 MR. MOSES: Yes.

11 MS. GUILIANI: Then I guess that brings me to
12 another question.

13 It goes on to say that -- let's see. Answer --
14 okay, shall mean that the operator service representative
15 or automated system is ready to render assistance. That's
16 the definition of answered.

17 MR. MOSES: Mm-hmm.

18 MS. GUILIANI: So, I guess my question is if
19 getting to the automated system is considered answered,
20 then wouldn't you consider the customer who plays in the
21 IVR is answered and that you wouldn't need to --

22 MR. MOSES: No.

23 MS. GUILIANI: -- measure anything further?

24 MR. MOSES: The automated system language
25 needs to be stricken.

1 MR. MCDONALD: That was left in there from the
2 old 15-second answer for automated answer should come out.

3 MR. MOSES: Yeah. The IVRU answering isn't
4 something we're considering an answer.

5 MS. GUILIANI: Well, that's how it currently
6 reads. That's why --

7 MR. MOSES: Yes, you're right. You're right.
8 That needs to be fixed. Any other -- Charles?

9 SPEAKER: Yes, Rick, just in response to
10 Ms. Sims' comments about application of answer time
11 standards to ALECs or CLECs, we have a different view of
12 that entirely.

13 It's our position that that's one of the
14 competitive alternatives that a customer can choose. And
15 he may make -- he or she may make the decision based on
16 many factors. And it's not something I think the
17 legislature intended be applicable to CLECs. So, we have
18 a different view and would like to register that at this
19 time.

20 MR. MOSES: Okay. Thank you.

21 SPEAKER: Rick, on page 32 "E," can you
22 clarify that, exactly what we're talking about here?

23 MR. MOSES: Sure. Once you opt out of the,
24 IVRU, then it's routed to the ACD or whatever mechanism
25 you're using for your live operators.

1 What we were trying to ensure that there's not
2 blockage at that point; in other words, you could have two
3 trunks going there, because you've got two operators and
4 then everything else is deflected to a recording, say call
5 back when we're not busy.

6 And we're trying to keep as many of the calls
7 going to the live operator as possible rather than being
8 deflected to a recording.

9 MR. MCDONALD: That's just also taking care of
10 that problem where if you're doing average speed of
11 answer, if somebody tries to call in and waits for two
12 minutes and not answer it, normally if it's abandoned, it
13 won't get calculated in there, because you only calculate
14 those that are answered.

15 So, one that's never answered doesn't get
16 calculated in. So, in order to count so that you don't
17 let a lot of them go unanswered, then you make it that 99%
18 of them basically have to be completed or answered.

19 SPEAKER: And then it would need to be
20 answered within the 30 seconds? Is that -- once they opt
21 out of that --

22 MR. MCDONALD: It's going to be computed in
23 your average speed of answer, however long it takes.

24 SPEAKER: I guess the question our folks had
25 was in this type of a situation when the individual was to

1 opt out, what if it -- you know, once it rings once or
2 twice then that customer decides, well, I'm just going to
3 hang up. And then that customer has made that choice to
4 not complete the call as opposed to the situation where it
5 was a problem --

6 MR. MOSES: We understand that can be a
7 problem, but we couldn't think of any remedy to fix it to
8 to where it also didn't encompass those that just
9 continued to ring and never were answered.

10 And we were trying to make sure it was included
11 in the measurement so that didn't happen. Otherwise, the
12 measurement's not really valid. And we couldn't think of
13 any way to fix both ends of it.

14 SPEAKER: Okay. I'm just trying to get
15 clarification.

16 MR. MOSES: If you think of a way of fixing
17 it, let me know.

18 SPEAKER: I don't know that I can think of a
19 way to fix it, but I'm just trying to get clarification.

20 MR. MOSES: Okay.

21 SPEAKER: Can we have one second on this,
22 because we want to ask a question or two. I don't want
23 you to --

24 MR. MOSES: Sure, sure.

25 SPEAKER: -- leave this paragraph, okay?

1 MR. MOSES: Sure.

2 SPEAKER: Hold on.

3 MR. MOSES: Go ahead.

4 MR. SPEARS: Harvey Spears with Sprint.

5 I'm going to go ahead and comment on the abandon
6 portion in "E" there --

7 MR. MOSES: Okay.

8 MR. SPEARS -- make sure I didn't miss
9 something. Maybe you've already addressed it, you and
10 Don.

11 Abandon seems to be inappropriate as referenced
12 in there, because abandon is a direct calculation in any
13 ASA measurement.

14 SPEAKER: Can't be.

15 MR. SPEARS: Sure. Here's how it works.
16 Anytime a call comes into the ACD queue, once it gets in
17 that queue, it gets answered and it's waiting. It says
18 please hold, all representatives are busy or it directs
19 you right to one.

20 The longer that holds --

21 MR. MOSES: But wait a minute. Here's the
22 problem. What if it hasn't been answered to get in the
23 queue?

24 MR. SPEARS: You're going to get a deflect
25 then. I see your wording is good, but the abandon portion

1 should be back into measurement of ASA itself.

2 You see, you don't get an abandonment --

3 MR. MCDONALD: Explain to me how,
4 mathematically, how you can calculate and answer someone
5 that's not answered, how you're going to add the number of
6 seconds into the total time it took your people to answer
7 divided by the number of calls they answered that can't e
8 in there.

9 MR. SPEARS: When it comes into the queue, the
10 measurement begins.

11 In the case of an abandoned call, it is still
12 tracked. And let's say, for example, that it holds for 60
13 seconds. It's a negative 20 already. The customer
14 abandons it. It -- they hang up. Give yourself a plus
15 that you don't deserve.

16 MR. MCDONALD: Exactly.

17 MR. SPEARS: That's why it's in the
18 calculation.

19 MR. MCDONALD: Well, I don't know how you can
20 assign an arbitrary number to it when it was never
21 answered.

22 MS. GUILIANI: I think what he's saying is
23 that you don't assign an arbitrary number; that if they
24 hang up at 60 seconds, then 60 seconds is what is counted.

25 MR. SPEARS: Exactly.

1 MR. MOSES: So, it is measured at the time
2 that had abandoned it's (inaudible) -- okay.

3 MS. GUILIANI: And this is what we were trying
4 to get cleared up as to whether the system does that or
5 not. And that's what somebody is checking on now, because
6 we were unsure, but that's what we were thinking that
7 happened so that call is actually counted. It's just
8 counted at the time that they hang up. And that's --
9 we're checking on that.

10 MR. MCDONALD: It's counted as answered when
11 the time the person hangs up then.

12 MS. GUILIANI: For the purpose of the
13 calculating then --

14 MR. MCDONALD: Well, that doesn't make a valid
15 computation that way though, really.

16 MR. SPEARS: It doesn't say that the call was
17 answered, but the point is that it's an automatic
18 negative. You don't just throw it out.

19 MR. MOSES: Right, right.

20 MS. GUILIANI: People hang up for a lot of
21 reasons. And it may not be because they're just tired of
22 waiting. I mean, the -- you know, the child might have
23 spilled a glass of milk and you hang up or somebody rings
24 the doorbell. I mean, for a lot of reasons. So...

25 MR. MCDONALD: That's true, but they're not

1 going to be the majority of those. The majority of those
2 are going to be somebody just didn't get answered.

3 MS. GUILIANI: Maybe so, but we have no way of
4 getting them to stay on the line either.

5 SPEAKER: Don, I guess our point is that if
6 it's -- if people abandon for the, quote, wrong reason,
7 which means they've waited too long, then more --
8 statistically, it seems like those people would count
9 really against us as far as stretching out the ASA rather
10 than the people that abandon after 10 seconds, 'cuz they
11 just don't want to wait or some other reason. Those
12 people would theoretically help you, I guess, but the
13 people that abandon for the wrong reason are going to
14 count negatively.

15 So, I don't know what the majority would be, but
16 it seems like the people that you're concerned about are
17 the ones that are going to stay in really a relatively
18 long period and then give up.

19 MS. GUILIANI: I guess, never the less,
20 whatever, you know, we find out about whether that is
21 counted or not, I can say that 99% is way too high. We
22 were thinking maybe something more in the area of 85%.

23 MR. MOSES: And that's what you were thinking,
24 huh?

25 MS. GUILIANI: Mm-hmm, yep, absolutely.

1 SPEAKER: Just for GTE, we have some concerns
2 that maybe the 99 is also too high, but I'm -- we -- in
3 our written comments or whatever the next step is we will
4 elaborate a little bit more on maybe abandon versus
5 deflected and what a reasonable percentage we believe
6 based on some numbers.

7 MS. GUILIANI: And I would ditto that we'll
8 try to make an explanation for you as to --

9 SPEAKER: Sprint would do the same. We might
10 even look and see if there's some accessibility standards
11 in other states that might be a useful guide, but we don't
12 have a number in mind.

13 MR. MOSES: Well, I tell you what, when you
14 all file your comments in this regard about providing us
15 some historical data on what you've been doing.

16 SPEAKER: Wait. Can you just clarify been
17 doing on answer time for this situation or more
18 specifically what are you looking for?

19 MR. MOSES: Do you have the ability of
20 calculating average speed of answer on your existing data?

21 SPEAKER: Yes.

22 MR. MOSES: Okay. That data.

23 SPEAKER: Okay.

24 SPEAKER: I don't. I don't think we do.

25 MR. MOSES: And the same thing with any other

1 data that you may file or any comments you may file on any
2 of these average speed of answer things about backing it
3 up with some data that we can take a look at.

4 Subparagraph two, we struck the 10 seconds.
5 That was where we were adding it to the length of the call
6 for that last digit dialed calculation that was done
7 previously, which really worked in your favor, because the
8 network only takes a second and a half to set up now.

9 Intercept service.

10 MS. GUILIANI: Wait, wait, wait. Where are
11 you? Go back.

12 On page 32, I have another question.

13 MS. MOSES: Okay.

14 MS. GUILIANI: Number two, you have
15 statistically valid actual or statistically valid
16 substitute. And I guess I would ask there, is it possible
17 to put something in to the effect or as maybe service
18 evaluations by the Florida Public Service Commission are
19 currently performed?

20 MS. MOSES: That's how we were interpreting
21 it.

22 MS. GUILIANI: Pardon me?

23 MR. MOSES: That's how we were going to
24 interpret it is service evaluations.

25 MR. MCDONALD: But the problem is you have to

1 report answer time on a monthly basis. So, and we don't
2 always evaluate everybody every month.

3 MR. MOSES: It wouldn't be a substitute for
4 the reporting requirement.

5 MR. MCDONALD: Our reporting is more of a --

6 MS. GUILIANI: Measured.

7 MR. MCDONALD: -- to confirm what you're
8 reporting.

9 MR. MOSES: I think the key word there, Mary
10 Rose, is studies.

11 MS. GUILIANI: Yeah. I guess what I'm saying
12 is measured, like, that -- as long as we would measure
13 like the FPSE does when they come out to do their service
14 evaluation.

15 MR. MOSES: They will be measuring it the same
16 way you're reporting it.

17 MS. GUILIANI: Okay.

18 SPEAKER: We hope.

19 MR. MOSES: You better.

20 SPEAKER: We don't know how they're reporting
21 it.

22 MR. MOSES: I mean, to give you an example of
23 what we would be doing in a service evaluation to clarify
24 any questions you may have of it is if we were checking
25 how long it takes to get to allow the attendant, at the

1 time we hit the button to opt out of the system, we would
2 begin our timing test until we got to a live attendant.

3 And that would be your measurement, the same as
4 what you're reporting in your periodic reports. That way
5 we don't get into this problem that we have right now that
6 you're measuring it one way, reporting it one way, and
7 we're calculating it at a whole another one when we do our
8 test.

9 Okay. Any other questions on page 32 on the
10 answer time?

11 The next rule is the intercept service 25-4.074.
12 Because these rules were intended to only comply to the
13 incumbent LECs, we put in the language of control to buy
14 the LECs so you don't have the problem of ALEC data being
15 bad and you being held responsible for it.

16 The next rule is 25-4.077, metering and
17 recording equipment. Any questions on that?

18 SPEAKER: I've got to ask a question back on
19 33, on the intercept. You say that it only applies to
20 LECs. What happens if someone calls an ALEC number and
21 there's no -- they're not required to have an intercept on
22 those?

23 MR. MOSES: I don't know if there's a federal
24 standard on it or not. I think that they all comply. I
25 think there's some ANSI standards on it. And I do believe

1 from what I have seen so far of the ALECs that have their
2 own switches, they're complying with those ANSI standards,
3 but...

4 SPEAKER: I didn't know. I just asked it.

5 MR. MOSES: I don't know.

6 SPEAKER: Okay.

7 MR. MOSES: Are there any questions on the
8 metering and recording equipment rule?

9 Customer commitments, no questions. No? Moving
10 right along.

11 SPEAKER: I have one question.

12 MR. MOSES: One question, okay.

13 SPEAKER: I just need you to clarify for me,
14 Rick. Talking about -- let me find it here. Where the
15 company gives a commitment, and it talks about specific
16 date and time.

17 For example, if I commit to the customer that I
18 will have his service installed by February 4th, end of
19 day, does that mean what you're saying or if I say 9:00
20 p.m.

21 I guess I'm confused by why it says specific
22 about date and time. I guess if we commit to a time,
23 which generally we don't give a specific, it may be a
24 window. If it's a window --

25 MR. MCDONALD: Well, a lot of times you'll say

1 we'll have it done by 5:00 on Thursday.

2 SPEAKER: Okay.

3 MR. MCDONALD: And that's -- so, that's --

4 SPEAKER: Okay. That's all you mean. That's
5 fine. Thank you.

6 MR. MCDONALD: Now, if the customer
7 specifically wants a particular time, because -- for
8 whatever reason, and you agree to it, well, then --

9 SPEAKER: Well, sure. We would negotiate
10 that, and that's usually --

11 MR. MCDONALD: You'd negotiate that.

12 SPEAKER: Right. Okay, thanks.

13 MR. MOSES: Any other comments?

14 MR. TUBAUGH: Wayne Tubaugh of BellSouth.

15 This thing was looked at a number of years ago
16 when -- before we had discussion about whether it was
17 commitments or appointments, and ya'll suggested that it
18 be done away with.

19 When you do the service evaluation on any of the
20 companies out here, we meet it. When we report it to you,
21 we meet it. We believe it ought to be done away with
22 this.

23 I mean, we meet them, but you know, if you're
24 going to keep them, you're going to keep them. I'm just
25 telling you, ya'll suggested five years ago to do away

1 with them. We agreed with it. We agree with it now.

2 Thank you.

3 MR. SPEARS: Sprint, Harvey Spears.

4 On page 36, line nine, to follow-up on what GTE
5 was commenting on there, acceptable to the customer and
6 her exchange of information with Don. Acceptable to the
7 customer, negotiate is the key word.

8 So, maybe the word mutually acceptable. Because
9 real life is going to be just what Don just described, and
10 that's negotiated.

11 MR. MOSES: Yeah, you're probably right.

12 MR. SPEARS: Thank you.

13 SPEAKER: Yeah, the thing to do would be in
14 front of specific, the word specific, but mutually
15 agreeable, and then strike acceptable to the customer, if
16 that's the intent.

17 I mean, I think everybody works with a customer,
18 you know, like Debbie said.

19 MR. MOSES: Any other comments?

20 MR. SPEARS: Just a comment about what's going
21 to happen when the commission comes in for an audit.
22 Don't be surprised if you see two commitment dates,
23 because the companies are -- I can't speak for other
24 companies, I'd better not do that.

25 Realistically, in order to run the business,

1 they're going to have to have commitments even where
2 something is not agreed upon. Let's say that it's going
3 to be cleared by 5:00, in order to get the tech there in
4 time to get it cleared and make the system, prioritize it,
5 there may be a second one issued in there, say, for 2:00,
6 4:00, to make the technician arrive in a reasonable period
7 of time to get it cleared, because the rule says cleared
8 by means completed.

9 So, just so you know that, but it'll be
10 identified. There won't be any --

11 MR. MOSES: Right.

12 MR. SPEARS: Just so you know.

13 MR. MOSES: Okay. As long as it's identified.

14 MR. SPEARS: It will be.

15 MR. MOSES: Okay.

16 MR. SPEARS: Thanks.

17 MR. MOSES: Okay. On page 37, in my book,
18 where it starts out, says, "Each company shall keep at
19 least 95% of the commitments..." That other language
20 right after that sentence, "This standard will apply in
21 addition to..." I think we can strike that language,
22 because that's redundant. If those other rules are
23 already in place, it doesn't matter if you say they apply
24 again.

25 Martha just brought up a good point. Is the

1 reporting area a problem in reporting the commitments?

2 MR. TUBAUGH: However, we decided, and I'm not
3 sure how they do it, but we assign, for example, if you
4 were to take it by LATA, then what we'd do is all the NXXs
5 in that LATA, all of our information is compiled by NXX in
6 -- no, it's not. It just depends on how we decide to find
7 area.

8 MR. MOSES: Okay.

9 MR. SPEARS: This is Sprint.

10 We're not aware of any problem with that, Rick.

11 MR. MOSES: Okay.

12 Okay. On the next pages, it mentions the
13 periodical reports. We have not modified those schedules
14 as yet, because we thought we'd end up modifying them 14
15 times, depending on what we hammered out in this language.

16 So, once we get this part done then we will
17 modify those schedules. And you'll get the opportunity to
18 comment on those also. We didn't want to do them three
19 times.

20 The next rule revision's 25-4.079, the hearing/
21 speech impaired persons. Essentially, we added the
22 requirement of the business office and repair office
23 assistance.

24 MS. GUILIANI: What -- I had a question about
25 that. What exactly does that mean?

1 MR. MOSES: Well, to the TDD users you're
2 providing directory and operator assistance. Then, in
3 addition to that, you will offer assistance for the
4 business office and repair service.

5 SPEAKER: Okay. I have to ask, how does that
6 differ?

7 Our TDD customers today, as you're well aware,
8 are routed through the Florida relay service to get to our
9 business office. Is that in compliance with what you're
10 proposing here? I'm providing service to TDD customers,
11 and I'm telling them how to get to me.

12 MR. MOSES: But couldn't they go directly to
13 you by this addition rather than go through the relay
14 service?

15 SPEAKER: I'm not equipped. I don't have any
16 offices today to handle actual physically type on a TDD
17 machine to respond to those customers.

18 MR. MOSES: Okay. Hang on just one minute.

19 SPEAKER: (Inaudible)

20 SPEAKER: Well, again, you know, we comply to
21 answer time. We have the same answer time measurements
22 for those calls. The only difference is, you know, rather
23 than us having staff typing on the TDD, we have basically
24 the customer going through the relay center to get to us.

25 SPEAKER: I don't have a problem.

1 MR. MOSES: I don't see why that wouldn't
2 comply.

3 SPEAKER: I just want to ask the question.

4 MR. MOSES: Okay. I'll discuss this with
5 Richard further to see if that was his intent in this
6 thing, because I'm not real sure.

7 SPEAKER: Okay. Again, and if the intent was
8 just that it makes it clear that customers using a TDD are
9 able to get to our business office, then I'm doing that.
10 Just happens to be I'm using a means to get them there.

11 MR. MOSES: I'll find out.

12 SPEAKER: Thank you.

13 MS. GUILIANI: Rick, the question I have,
14 there's one number for the TDD office that we have. And I
15 take it you're measuring answer time on that, and you have
16 different standard for business office and repair in the
17 rules back there.

18 We have no way of differentiating when somebody
19 calls. How do we handle that in the TDD? Can you just
20 make it 40 for purposes of -- 70% of the customers are
21 calling for the business office.

22 MR. MOSES: Do you want to explain that
23 further? I'm not sure I'm following you.

24 MS. GUILIANI: There's one number for the TDD,
25 but you have two separate measurements; one for business

1 office, one for repair. 70% of the calls coming into that
2 TDD number are for the business office.

3 MR. MOSES: I understand. What standard
4 applies to those, depending on what --

5 MS. GUILIANI: Right.

6 MR. MOSES: Okay.

7 SPEAKER: Good question.

8 MS. GUILIANI: I mean --

9 SPEAKER: Or do you separately measure them?
10 I mean, you're just going to measure answer time for the
11 business office and answer time and repair, regardless of
12 whether it's TDD or whether it's --

13 MS. GUILIANI: I'm hearing though from -- of
14 something that we don't have the ability to separate out
15 the business office and the repair for the TDD.

16 MR. SPEARS: This is Harvey Spears with
17 Sprint.

18 Don, you might want to comment on this, because
19 in a service audit, it's not -- as the proposed rules
20 reflect, 30 seconds for repair or 40 seconds for business
21 office or 20 seconds for operator.

22 It is a different measurement. And I believe
23 it's, like, 30 seconds, period. And it -- from the time
24 that the audit folks make their call to the answer. Isn't
25 that -- I believe that's correct. It's not that it's

1 several different answering times, it's one. And it's for
2 the TDD --

3 MR. MCDONALD: I think --

4 MR. SPEARS: -- function.

5 MR. MCDONALD: -- philosophically, without
6 looking this up, the TDD people are supposed to get the
7 same level of services a hearing person does. And that's
8 what the federal law mandates.

9 SPEAKER: But we can't -- if they call the
10 number, they're going to call that number, whether they
11 want repair or whether they want business office. And you
12 have two separate measurements.

13 MR. MCDONALD: Well, then we'll change the
14 measurements to whatever the shortest time is.

15 SPEAKER: No.

16 MR. MCDONALD: Just kidding.

17 MR. MOSES: Wait a minute. In going back to
18 where we're changing the -- to the average speed of
19 answer, it's right now not to exceed 30 seconds for calls
20 to repair. No, you're right, there are two. Well, let's
21 make that the same then, because that's not -- we'll make
22 those two the same.

23 MS. GUILIANI: For repair and business office?

24 MR. MOSES: Yes.

25 MS. GUILIANI: And you'll make those 40?

1 MR. MOSES: I didn't say that. I just said
2 we'll make them --

3 MS. GUILIANI: Oh, 60 would be fine, too. 60
4 would be fine.

5 SPEAKER: (Inaudible)

6 MS. GUILIANI: Yeah. Now we're talking.

7 MR. MCDONALD: IF we're supposed to give the
8 same level of service for a hearing-impaired person as a
9 hearing person, then I would think we would have to use
10 whichever is the minimum, then.

11 MR. MOSES: Yeah, we would.

12 MR. MCDONALD: Just to be sure they get at
13 least the same level of service.

14 MR. MOSES: But their problem was the
15 difference in the two, because they don't know when
16 they're coming in on the one number.

17 MR. MCDONALD: I know, but I'm saying if it's
18 30 seconds for one and 40 seconds for the other, and they
19 can't tell the difference, then they'd better just go with
20 the 30 seconds for a hearing-impaired person in order to
21 guarantee them at least the same level of service as a
22 hearing person gets.

23 MS. GUILIANI: Or change the other.

24 MR. MCDONALD: If you use 40 seconds, they're
25 not getting the same level of service as a hearing person

1 is then.

2 SPEAKER: Sure, because you change the answer
3 time rules so that repair is 40 and business is 40.

4 MS. GUILIANI: Right.

5 MR. MCDONALD: Well, if they're both the same,
6 no problem, don't have to change it.

7 MS. GUILIANI: Right.

8 SPEAKER: Exactly.

9 MR. MCDONALD: I think you would make it both
10 30 and then --

11 SPEAKER: Or 40.

12 SPEAKER: I think I see where we're crossing
13 the (inaudible).

14 SPEAKER: You understand our dilemma.

15 MR. MOSES: I think that's the cleanest way to
16 fix it though is just to make those two numbers the same.
17 Then you don't have that problem.

18 Okay. Where were we? Let's see, we were on the
19 TDD section. I think we've concluded that. Are there any
20 other questions on that portion of 79?

21 25-4.080, you all want to retain that rule, I
22 would assume. No?

23 SPEAKER: GTE supports staff's proposal.

24 MR. TUBAUGH: So does BellSouth.

25 SPEAKER: What's he talking about?

1 SPEAKER: This.

2 SPEAKER: Oh. Yes, we support that. That's
3 the weighted measurement.

4 MR. SPEARS: Yes, Sprint does, too, thank you.

5 MR. MOSES: On 25-4.0185, the periodic
6 reports.

7 Like I said, we have not modified those
8 schedules. And probably when we do we will renumber them
9 so we don't have this large gap between 13 and 15, but we
10 will modify those in accordance with the rule language
11 we've discussed today.

12 And I think also what we're going to include in
13 there is some clarifying language on each one of the
14 schedules where the measurements are made that it's clear
15 to you how those measurements are expected to be
16 calculated, like your answering time, so it's perfectly
17 clear to everyone.

18 The next rule is just a cross-reference rule in
19 the IXC portion where it renumbers a subparagraph that
20 changed on the adequacy of service.

21 And according to my sheets, that's the end of
22 it.

23 SPEAKER: Well, now we have to discuss about
24 where we want to go from here.

25 SPEAKER: To lunch.

1 MR. MOSES: I think based on the volume of
2 questions and the suggested changes and OPC's concerns, I
3 think what we'd like for you to do is to file some written
4 comments on these things, so maybe we can get this
5 fine-tuned a little bit further.

6 SPEAKER: Do you all want us to make -- take a
7 look at it and make some revisions to the draft first and
8 then comment on the new one, Rick?

9 MS. GUILIANI: That would be preferenced.

10 SPEAKER: Because there were some things that
11 we agree with --

12 MS. GUILIANI: Right.

13 SPEAKER: -- and then take some time to think
14 about and see if we can come up with something.

15 MR. MOSES: So, how about if we get a new
16 draft rule to you by next Friday?

17 SPEAKER: Okay.

18 MR. MOSES: And then you can comment on the
19 draft.

20 SPEAKER: Well, next Friday is the 5th.

21 SPEAKER: Is it?

22 SPEAKER: Oh, I'm sorry.

23 MS. GUILIANI: This Friday or the next Friday?

24 SPEAKER: Next Friday, the 12th.

25 MR. MOSES: A week from this Friday. Be hard

1 to get them out this week.

2 SPEAKER: How about two weeks?

3 MS. GUILIANI: Two weeks after that?

4 SPEAKER: To the -- like, the 26th.

5 MS. GUILIANI: 26th?

6 SPEAKER: And then -- I mean, there are a
7 couple of different ways we can go. We can try to put
8 something together and just start on the formal rule
9 making process or we could have one more workshop round,
10 if you want. And it's really up to Rick how he wants to
11 go on it.

12 MR. MOSES: Well, we're obviously, not going
13 to get a consensus 100% on this thing. I think we all
14 realize that. I'll pose the question to you all. Do you
15 think another workshop is going to be necessary?

16 Because keep in mind, you're going to have to
17 look at the periodic report schedules to see if you agree
18 with those. Or if we could possibly do it through written
19 comments we can do it that way also, but if you think
20 another workshop is necessary, we can certainly do so.

21 MR. SPEARS: Sprint, Harvey Spears. I think
22 it would be helpful, Rick, to have one more workshop for
23 the reasons you just noted here.

24 MR. MOSES: Okay. We'll do that then.

25 SPEAKER: Yes, I think it would be helpful.

1 MR. MOSES: Okay.

2 SPEAKER: Make sure we're all on the same
3 wavelength. I mean, even if we don't agree to everything,
4 at least if we can have an understanding of where you're
5 coming from, where we're coming from.

6 MR. MOSES: Okay.

7 SPEAKER: Yeah.

8 MR. MOSES: That'd be fine.

9 Then we will schedule one as quickly as possible
10 then after those comments come back in.

11 SPEAKER: Yeah, I'm not sure we're ready
12 really to set it up with a time right now. Let's see what
13 the comments look like.

14 MS. GUILIANI: Understandable.

15 MR. MOSES: Also, keep in mind, when you're
16 filing your comments that anywhere there's any
17 measurements to be done, if you would please file some
18 historical data going back, say, a year or two years.

19 SPEAKER: Does anybody have any final
20 conclusory remarks?

21 SPEAKER: I just have one comment, I meant to
22 make at the beginning and didn't. I do want to tell staff
23 I appreciate the work by trying to take in to so many
24 different comments, so many points of view in coming up
25 with the draft that was presented.

1 MR. MOSES: Appreciate it.

2 MR. SPEARS: Same here from Sprint, really
3 appreciate the commission stepping out of the box, taking
4 a look around and looking at the future of where we're
5 going and considering rule modifications.

6 Good job, thanks.

7 MR. MOSES: We may be stepping out of one box
8 into another, I'm not sure.

9 MR. SPEARS: You may be stepping out of a box
10 into a pile.

11 MR. MOSES: Yeah, we're stepping into something
12 here. I'm not --

13 MS. GUILIANI: We ditto -- BellSouth dittos
14 all those comments, and thank you for your time.

15 MR. MOSES: Well, we'll see where it goes from
16 here. Thank ya'll.

17 MS. GUILIANI: Thank you.

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4 I, KORETTA STANFORD, RPR, Official FPSC
5 Commission Reporter,

6 DO HEREBY CERTIFY that the workshop in Docket
7 No. 991473-TP was heard by the Florida Public Service
8 commission Staff at the time and place herein stated; it
9 is further

10 CERTIFIED that I transcribed the foregoing
11 proceedings from tapes provided to me by the FPSC
12 Commission, and that this transcript, consisting of 102
13 pages, constitutes an accurate transcription of those
14 tapes.

15 DATED this 10th day of February, 2000.

16 
17 _____
18 KORETTA STANFORD, RPR
19 FPSC Official Commissioner Reporter
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