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000121A-TP

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**Sent:** Thursday, September 03, 2009 2:15 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Docket No. 000121A-TP  
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The Docket No. is 000121A-TP - Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications carriers.

This is being filed on behalf of Comcast Phone of Florida, LLC

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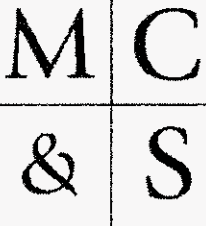
Reply Comments of Comcast Phone of Florida LLC

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September 3, 2009

**ELECTRONIC FILING**

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 000121A-TP

Dear Ms. Cole:

Enclosed for filing on behalf of Comcast Phone of Florida, L.L.C. d/b/a Comcast Digital Phone ("Comcast") is the Reply Comments of Comcast Phone of Florida, L.L.C. in the above referenced docket.

Thank you for your assistance with this filing.

Sincerely yours,

Floyd R. Self

FRS/amb  
Enclosures  
cc: Andrew Fisher, Esq.  
Parties of Record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the establishment )  
of operations support systems )  
permanent performance measures for )  
incumbent local exchange )  
telecommunications carriers. )

Docket No.: 000121A-TP

Filed: September 3, 2009

REPLY COMMENTS  
OF  
COMCAST PHONE OF FLORIDA, LLC

Pursuant to the Amended Notice dated August 18, 2009, Comcast Phone of Florida, LLC ("Comcast Phone") hereby submits its reply comments to the BellSouth Telecommunications, Inc. d/b/a AT&T Florida's ("AT&T Florida") proposed revisions to its (1) Florida Service Quality Measurement Plan, Version 5.01 ("SQM Plan"), and (2) Self-Effectuating Enforcement Mechanism Administrative Plan, Version 5.02 ("SEEM Plan") (collectively, the "Plans"). In sum, Comcast Phone replies as follows:

- *It is premature to undertake a review of the Plans at this time as AT&T Florida plans a major software release in the first quarter of 2010 as part of a three-phase strategy to upgrade its wholesale operations. The last software release in 2008 (Phase 1) significantly impacted the CLECs' operations and resulted in the delay of thousands of Firm Order Confirmations ("FOCs") to Comcast Phone. Staff review should be suspended until the later of the second quarter of 2010 or when metrics have been reported with respect to the AT&T Florida upgrades.*
- *Assuming Staff recommends review of the SEEM Plan at this time, the Commission should retain continuing jurisdiction over all aspects of the SEEM Plan. AT&T Florida would have this Commission believe that it should move away from regulatory oversight altogether for performance remedies because the rights, duties, and obligations of the ILECs and CLECs "have been established by business-to-business agreements and have generally become a matter of routine business dealings between the ILECs and the CLECs requiring less and less direct involvement of regulatory bodies." This conclusion is wrong and there is extensive evidence to the contrary.*

- Assuming Staff recommends review of the SQM Plan at this time, *all benchmarks should be critically reviewed to ensure that benchmarks measuring critical activities are maintained.* Benchmarks should not be deleted solely on the basis of good performance history as prior history is not necessarily a good predictor of future performance. In addition, *benchmarks in certain key performance areas should be evaluated against improved industry processes, systems and technologies.* AT&T Florida should reflect any such improvements in Percent Flow-Through Service Requests (O-3) (standalone LNP orders), Reject Interval (O-8), and FOC Timeliness (O-9).
- Assuming Staff recommends review of the SQM Plan at this time, Comcast Phone believes some parity measures should be changed to benchmark measures due to changes in the marketplace that have impacted the retail compare product.
- Assuming Staff recommends review of the SEEM Plan at this time, *Comcast Phone like CompSouth recommends some changes to the enforcement mechanisms increasing SEEM payments in connection with any AT&T Florida chronic failures.*

**I. STAFF REVIEW OF AT&T FLORIDA'S PROPOSED REVISIONS SHOULD BE SUSPENDED PENDING IMPLEMENTATION AND TESTING OF PLANNED 2010 SOFTWARE RELEASE**

AT&T Florida is in the process of implementing “a consolidated and uniform suite of external and internal interfaces, tools, and processes to support pre-order and ordering of Local Wholesale services.” The planned changes to the 9-state Operational Support Systems (“OSS”) for the Southeast region are to be implemented in an integrated “three phase release migration strategy.”<sup>1</sup> Phase 1 applications have been introduced and

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<sup>1</sup> See Docket No. 000121A-TP, *Letter to Ms. Ann Cole from Robert A. Culpepper*, dated June 11, 2008, at Response No. 1 (hereafter “*June 11, 2008 Letter*”). Phase 1 introduced the Local Access Service Request System (“LASR”) application to replace the functionality provided by the Local Exchange Ordering (“LEO”) tool, transferred “work assignment” from LEO to the Work Flow Management (“WFM”) system, retired the 9-State Work Management System (“WMS”), migrated WMS functionality to WFM, streamlined the number of tools used by AT&T Florida center support personnel, and added the 13-state Verigate application. *June 11, 2008 Letter*, at Response No. 1. Phase 2 will introduce the Local Service Request Exchange System (LEX) and the XML Gateway. With the introduction of these new interfaces, it is anticipated that AT&T Florida will be able to retire the Local Exchange Navigator Service (“LENS”), the

are in place, but Phase 2 has just commenced. Phase 2 testing for Comcast Phone is set for November of this year, with other CLEC Phase 2 testing to be scheduled through March 2010.

Administrative efficiency and the public interest require that any Staff review should be suspended until the Phase 2 implementation is complete and the new processes have been tested. Furthermore, nothing in the written record suggests that anything is lost by adopting this measured approach. Comcast Phone observes that none of the components of AT&T Florida's espoused "overarching goal" will be affected or diminished by avoiding a rush to judgment. It makes little sense to devote the limited resources of the Commission and parties to a review when so many new applications are now being introduced and tested. Administrative efficiency will be gained by considering AT&T Florida's proposed provisions *and* the new OSS applications (Phase II) at the same time. Accordingly, Comcast Phone respectfully submits all interested parties would be better served if AT&T Florida's proposal could be reviewed in an informal collaborative setting *after* the Phase II applications have been implemented and the new OSS fully stabilized.

## **II. THE COMMISSION SHOULD MAINTAIN CONTINUING JURISDICTION OVER THE SEEM PLAN**

Assuming Staff proceeds to review the SEEM Plan at this time, Comcast Phone takes issue with AT&T Florida's position that performance remedies should be moved to commercial agreements. AT&T Florida claims that "[m]ovement of the performance remedies to commercial agreements will not affect or *diminish AT&T's commitment* to

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Electronic Data Interface exchange ("EDI") and the Direct XML. In Phase 3, AT&T Florida plans to retire the LENS, EDI, and Direct XML applications. *Id.*

meet its obligations or impede the current remedies that are AT&T's incentive to continue to meet [t]'s performance obligations."<sup>2</sup> While AT&T Florida's "commitment" may remain undiminished, Comcast Phone is more interested in measurable performance and whether OSS in fact works to facilitate the development of competitive markets. There simply is no basis for AT&T Florida's position that its OSS performance will not be affected in an environment where there is no regulatory oversight.<sup>3</sup>

Comcast Phone also takes issue with AT&T Florida's statement that "[i]n the years since the Act's passage and subsequent implementation, the rights, duties, and obligations of the ILECs and CLECs have been established by business-to-business agreements and have generally become a matter of routine business dealings between the ILECs and the CLECs requiring less and less direct involvement of regulatory bodies."<sup>4</sup> AT&T Florida concludes there is "an existing trend toward normalized commercial relations between ILECs and CLECs" and notes "the principal exception" to this trend "is the Commission's SQM and SEEM plans."<sup>5</sup>

Comcast Phone disagrees. Although AT&T Florida notes that some CLECs obtain UNEs under commercial agreements,<sup>6</sup> it Comcast Phone is unaware of any such commercial agreements having been established with *facilities-based* CLECs. Moreover,

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<sup>2</sup> Docket No. 000121A-TP, *Letter to Ann Cole from Tracy W. Hatch*, dated July 10, 2009, at p. 10 ("*July 10, 2009 Letter*") (emphasis added).

<sup>3</sup> Bland references to "consistently good" performance by AT&T Florida affiliates in the Southwest states (*id.* at p. 10) should not be given weight absent documentary proof and an understanding of the metrics employed in the Southwest states.

<sup>4</sup> *Id.* at p. 8.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

even a cursory review of the trade press ineluctably leads to the conclusion that there is nothing routine about business relations between ILECs and CLECs.<sup>7</sup>

Due process concerns are also in play. Interested parties should have the opportunity to comment on the impact of the new OSS applications now being implemented before any Commission oversight is displaced and performance remedies moved to business-to-business agreements. The Commission should, therefore, maintain its regulatory role in implementing and overseeing OSS performance measures and remedies.<sup>8</sup>

AT&T Florida recommends that the annual review of the SEEM plan become “periodic.”<sup>9</sup> This vague and obtuse proposal is troubling not least because the period isn’t defined other than “as needed.” Moreover, there is no accountability assigned as to what entity determines “need.” Comcast Phone believes that if the annual review is to be changed, the newly determined review cycle should be a defined period, e.g., two years or three. Additionally, Comcast Phone strongly believes the review itself should be collaborative and involve all interested parties.

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<sup>7</sup> E.g., *TR's State NewsWire*, Maine – PUC will not toss 'rural exemption' inquiry (Aug. 26, 2009); Iowa – IUB reopens Qwest-McLeodUSA dispute after court remands case (Aug. 25, 2009); Arkansas – Alltel and CenturyTel reach interim agreement over ICA dispute (Aug. 24, 2009); Wisconsin – AT&T sues to overturn PSC decision in Sprint ICA dispute (Aug. 21, 2009); Ohio – PUCO approves Verizon motion to rehear Intrado ICA case (Aug. 20, 2009); Florida – PSC defers staff recommendation to approve Clective ICA case (Aug. 19, 2009); New Hampshire – PUC: Comcast Digital Phone is a 'telecom carrier' (Aug. 18, 2009); Texas – Court refuses to dismiss AT&T's claims against Affordable Telecom (Aug. 11, 2009); Georgia – Comcast calls TDS ICA refusal 'anticompetitive' (Aug. 10., 2009); Maryland – Core, PSC appeal ruling in Verizon ICA dispute (Aug. 6, 2009).

<sup>8</sup> AT&T Florida suggests the Commission does not have jurisdiction to impose SEEM payments. That is incorrect. *MCI Telecomms. Corp. v. BellSouth Telecomms. Inc.*, 298 F.3d 1269, 1274 (11<sup>th</sup> Cir. 2002) (holding the Commission has authority to impose enforcement and compensation mechanisms under Section 252 and finding that a schedule for implementation would be “potential meaningless” without some mechanism to enforce it).

<sup>9</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 3.1.

AT&T Florida recommends it should be granted the right to make administrative changes to the SQM and SEEM Plans with notice provided to the Commission.<sup>10</sup> AT&T Florida suggests that these changes will not “substantively” change the Plans. This proposal should be rejected. Such an approach would allow AT&T Florida to become the sole arbiter of what is and what is not substantive. Instead, AT&T Florida should be required to participate in collaboratives where they propose their “administrative” changes. Comcast Phone has participated in such collaboratives in other jurisdictions and considers them very productive. It has been the experience of Comcast Phone’s subject matter experts that “administrative” changes offered in other collaboratives are not always merely administrative, but instead change the nature of the underlying metric. “Administrative” changes must be discussed with all affected parties so that a consensus can be developed that the change is in fact administrative.

AT&T Florida also suggests that there should be no right for parties to seek the intervention of the Commission in dispute resolution.<sup>11</sup> Comcast Phone agrees with CompSouth that the dispute resolution process that exists in these plans today works well, is appropriate, and should not be changed.

**III. ALL BENCHMARKS SHOULD BE CRITICALLY REVIEWED AND NOT DELETED SUMMARILY ON THE BASIS OF GOOD PERFORMANCE HISTORY; CERTAIN BENCHMARKS SHOULD BE EVALUATED TO REFLECT IMPROVED PROCESSES, SYSTEMS AND TECHNOLOGIES**

AT&T Florida believes that benchmarks that “measure processes for which AT&T Florida consistently provides a high level of performance” should be eliminated.<sup>12</sup>

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<sup>10</sup> AT&T Florida SEEM Administrative Plan Florida Plan Version 5.02, Exhibit C, Section 3.1.1.

<sup>11</sup> AT&T Florida SEEM Administrative Plan Florida Plan Version 5.02, Exhibit C, Section 3.2.

<sup>12</sup> *July 10, 2009 Letter*, at p. 4 (noting, as one example, the Acknowledgement Message Completeness (O-2)).



Simply put, prior history is not a good predictor of future events. This is especially true in this instance as pending OSS Phase II modifications may disrupt AT&T Florida's performance. Assuming Staff recommends review of the SQM Plan at this time, Comcast Phone believes that *all* benchmarks should be critically reviewed (including benchmarks which currently reflect a high level of performance) to determine which benchmarks remain useful in measuring critical activities.

Significantly, certain benchmarks may appropriately be increased to reflect improvements in industry processes, systems, and technologies. Such improvements include the evolution in switch software which allows carriers to convert their switches from interim number portability to local number portability and the processes developed as part of the Commission-ordered change management forums. Benchmarks should reflect these improvements. Comcast Phone suggests, for example, that benchmarks for Percent Flow-Through Service Requests (O-3) (standalone LNP orders), Reject Interval (O-8), and FOC Timeliness (O-9), may be reasonably increased to reflect the current maturity of AT&T Florida's OSS.

**IV. PARITY MEASURES SHOULD BE REVIEWED TO DETERMINE IF THE RETAIL COMPARE IS RELEVANT IN THE CURRENT MARKETPLACE AND IF THE MEASURE SHOULD BE CONVERTED TO BENCHMARK**

AT&T Florida recommends a review of measures because the market has changed. Market change is a valid motivator but Comcast Phone cautions against a one-sided review. As a counterpoint, some existing metrics are proving ineffective in measuring transactions that remain critical in determining whether interconnection is being managed in a non-discriminatory manner.

For example, the LNP on time provisioning metric is set as a “parity” metric with a comparison to retail provisioning of plain old telephone service, or POTS. Often POTS provisioning includes a dispatch requirement while LNP provisioning never does. This clearly is not a relevant comparison. It would conceivably be more appropriate to compare LNP provisioning to retail winbacks since the work content for each is very similar. Alternatively, and preferably, LNP Provisioning could be simply converted to a benchmark measurement with a very high threshold of being met. Comcast Phone would suggest 98% or 99% threshold would be a just benchmark for LNP on-time provisioning.

Another example of a metric that does not reflect current market reality is Provisioning of Interconnection Trunks. The retail comparison here is trunks provisioned by AT&T Florida for AT&T Florida. This is an unreasonable metric given AT&T Florida’s oft-bemoaned line losses. As AT&T Florida loses wire line market share, it grooms and disconnects its own trunks and trunk groups but it provisions (adds) very few. Comcast Phone asserts this measure has been ineffective for several years and should instead be converted to a benchmark measure at 98% on-time completion.

AT&T Florida also recommends changes to the existing Statistical Models to evaluate Parity.<sup>13</sup> Comcast Phone believes the existing models have worked satisfactorily since implementation of the Plans and there is no evidence of any need to make the AT&T Florida proposed changes. Unlike AT&T Florida, which apparently has access to statisticians, such changes will require other parties engage subject matter experts and require these experts become familiar with these Plans and what they represent. Before the Commission requires the CLECs to engage in that effort, AT&T Florida should prove

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<sup>13</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.1 – Definitions.

the need for such a change. Alternatively, changing all measures to benchmarks relieves all parties of this requirement and makes replication an exercise in mathematics rather than statistics.

Similarly AT&T Florida wants to change the term from “parity” to “direct comparison.”<sup>14</sup> Since the passage of the Amended Communications Act of 1996, regulators and carriers have used and understood the term “parity.” There are references to “parity” in multiple dockets. It is a well defined and well understood term. There is absolutely no rationale presented to change from this well understood framework. All this focus by AT&T Florida on parity measures suggests its intention is to simplify these Plans. If AT&T Florida’s interest is to make the Plans simpler, Comcast Phone recommends benchmarks for all metrics is the way to achieve that simplicity.

AT&T Florida wants to remove multipliers associated with retail analog compliance criteria.<sup>15</sup> Again Comcast Phone suggests that the way to simplicity is in benchmarks. There are no comparisons required. The performance is what it is. Alternatively, every parity measure should be evaluated and a case presented to eliminate the multipliers. This recommendation should be vetted in a collaborative setting with all interested parties and if consensus can be achieved, a shared recommendation can be presented to the Commission for decision.

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<sup>14</sup> BellSouth Service Quality Measurement Plan (SQM) Florida Performance Metrics, measurement Descriptions Version 5.01, Exhibit A, First instance of “Direct comparison with Retail” is in Section 1: Operations Support systems, (OSS), OSS-1 [ARI] OSS Response Interval (Pre-Ordering/Maintenance & Repair).

<sup>15</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.3.1.4.

**V. ENFORCEMENT MECHANISMS ASSOCIATED WITH CHRONIC FAILURES SHOULD BE INCREASED IN THE SEEM PLAN**

CompSouth has proposed that SEEM payments should be increased in the event of a chronic failure – that is, a benchmark missed “more than 6 months consecutively.”<sup>16</sup> Comcast Phone supports the concept of increased SEEM payments for chronic failures as an added incentive to encourage AT&T Florida to remedy failures on a timely basis. Conversely, Comcast Phone opposes AT&T Florida’s proposal to eliminate multiplier payments for parity and benchmark measures and recommends that it be rejected.

Comcast Phone believes that strong incentives should be created to assure AT&T Florida reacts as a competitive provider would to its customers’ negative experiences. Competitive providers react swiftly to remedy problems when innovation doesn’t work as planned – they quickly rewrite code, send updates to code, and otherwise make every reasonable effort to mitigate or eliminate the dissatisfying experience. AT&T Florida’s implementation of Phase 1 of its OSS change suggests that AT&T Florida needs further motivation to be responsive to its wholesale customers. Comcast Phone proposes that a liquidated damage Tier 1 escalator begin after month two of performance that does not meet the defined metric requirements. Comcast Phone proposes a Tier 1 escalator as a more compelling disincentive for continued non-performance (e.g., \$10 goes to \$20 in month 3, \$20 goes to \$40 in month 4, etc.). Such escalation would provide a powerful incentive to remedy failures rather than simply absorbing existing, static penalties as a cost of doing business.

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<sup>16</sup> *CompSouth’s PowerPoint Proposal*, dated July 29, 2009, at pp. 5, 12.

## VI. SEEM PAYMENT ADMINISTRATION

AT&T Florida's proposal to change the timing of SEEM payments and to convert today's payments to bill credits is premature. Such change may have an impact on billing metrics so that must be evaluated as a threshold question. Additionally, if Staff finds the idea of bill credits attractive, CLECs should be part of any decision to convert to this methodology.<sup>17</sup> How these credits might be administered may place a reconciliation burden on CLECs. How does AT&T Florida intend to notify CLECs of the credit application? What section of the bill will they appear under? How will they be notated on the bill? These are but a few of the questions that must be addressed.

Notwithstanding the fact that a bill credit is not a payment and the timing is not the day of or the day after the SEEM payment is due, at best the credit would be applied to the next billing cycle, and at worse may require billing claims by CLECs to actually receive.

AT&T Florida requests relief from the requirement that SEEM calculation adjustments be posted within three months of the original report.<sup>18</sup> AT&T Florida also wants to eliminate this from Commission oversight. Comcast Phone objects to both requests. First AT&T Florida cites "technical feasibility" as the rationale for possibly missing the adjustments deadline. Since AT&T Florida has operated under such a plan for more than six years, it certainly is not "infeasible." If changing the OSS, which is an AT&T Florida initiative, is a cause for the challenge, AT&T Florida should make compliance with performance plans one of the criteria it must meet prior to making OSS changes.

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<sup>17</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.4.1.

<sup>18</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.4.6 (Original section 4.4.6).

## VII. LIABILITY LIMITATIONS

Comcast Phone agrees with CompSouth's positions on Force Majeure events and the timelines they recommend for notification. AT&T Florida should invoke Force Majeure relief in rare instances and the justification must be a significant circumstance beyond its control.<sup>19</sup> Additionally, AT&T Florida should inform CLECs of its emergency situation as it occurs so CLECs can be supportive and proactive. AT&T Florida should not be seeking Force Majeure relief for circumstances it did not notify CLECs about in real time.<sup>20</sup> AT&T Florida also wants to change its very specific website, "Emergency Preparedness and Restoration," to a more general AT&T Florida website. Comcast Phone believes this is not conducive to robust communication during an emergency situation. It would be best to maintain the current, well defined space for communications in such circumstance. Having wholesale customers search AT&T Florida's website for Emergency Restoration information is not a good idea. It can only lead to chaos, and additional telephone calls to AT&T Florida centers at a time AT&T Florida least needs increased call volumes.

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<sup>19</sup> CompSouth initial redline filing with the PSC, Document Number 06963, dated July 10, 2009, Florida SEEMS Administrative Plan, Exhibit B, Section 4.5.2 and 4.5.2.1.

<sup>20</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.5.2.

## VIII. AUDITS

The existing language in the SEEM Plan at 4.9 appropriately protects the interests of all parties.<sup>21</sup> AT&T Florida has input to the selection of an independent third party auditor. Having AT&T Florida select the auditor without Commission consensus will create an appearance that the auditor is not independent. This is a bad idea no matter who is funding the audit, and it should be rejected.

## IX. APPENDIX RECOMMENDATIONS MADE BY AT&T FLORIDA

Comcast Phone reiterates its proposal for a stronger incentive to assure AT&T Florida does not simply tolerate continued poor performance.<sup>22</sup> Comcast Phone proposes a liquidated damage Tier 1 escalator to begin after month two of continued performance that does not meet metric requirements. Comcast Phone also proposes a Tier 1 escalator as a more compelling disincentive for continued performance misses by ATT Florida (e.g., \$10 goes to \$20 in month 3, \$20 goes to \$40 in month 4, etc.). Additionally Comcast Phone opposes AT&T Florida's proposal to eliminate Billing remedies in Appendix A.

AT&T Florida recommends the removal of all Appendix B Tier 1 sub-metric remedies associated with metrics they recommend be eliminated from SQM. Comcast Phone believes it is premature to do so until changes have been fully vetted through a consensus process and agreed upon by interested parties, or ordered by the Commission.

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<sup>21</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Section 4.9 (Original section 4.9).

<sup>22</sup> AT&T Florida SEEM Administrative Plan, Florida Plan Version 5.02, Exhibit C, Appendix A: Fee Schedule; Appendix B: SEEM Submetrics; Appendix C: Statistical Properties and Definitions; Appendix D: Statistical Formulas and Technical Descriptions; Appendix E: BST SEEM Remedy Calculation Procedures; Appendix F: BellSouth's Policy on Reposting of Performance Data and Recalculation of SEEM Payments.

AT&T Florida further recommends changes to the Statistical Properties, Definitions, Formulas, Technical Descriptions, and Remedy Calculations outlined in Appendices C, D, and E respectively. Comcast Phone believes these changes will result in a wholesale change to the character of the Plans. If AT&T Florida wants to simplify these Plans, the most efficient means to do so is to simply convert all metrics to benchmarks that do not require sophisticated statistical methods and infrastructure to support.

AT&T Florida recommends a myriad of changes to the reposting rules outlined in Appendix F. Comcast Phone needs to understand the technical difficulties that AT&T Florida has experienced with these requirements over the last six years that would warrant such relief. In addition, other jurisdictions have addressed reposting with changes to the plan that would minimize the need to repost. These methods should be explored. Again, converting to benchmarks should minimize the need for reposting. The data is available once the report month completes. Performance is evaluated based upon what was delivered to wholesale customers. Complicated statistical models and database engines are not required. The things that lead to calculation errors are virtually eliminated.

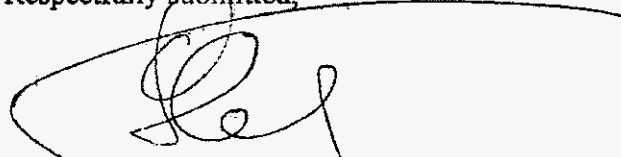
## **X. CONCLUSION**

For the foregoing reasons, Comcast Phone respectfully urges the Commission to suspend its review of AT&T Florida's proposed revisions to the Plans at this time. Review should be suspended until the new OSS system has stabilized and all Phase II OSS applications have been implemented. Assuming review of the Plans moves forward,



benchmarks measuring critical activities (including benchmarks with a history of good performance) should be maintained or possibly increased. In addition, parity metrics should be revisited to determine the relevance of the retail compare product to the current wholesale marketplace, with the plans being easily simplified by converting all parity measures to benchmarks. Finally, a chronic failure remedy should be added to the SEEM Plan.

Respectfully submitted,



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Counsel for Comcast Phone of Florida, L.L.C. d/b/a  
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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on the following parties by Electronic Mail this 3<sup>rd</sup> day of September, 2009.

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