

**Ruth Nettles**

090550-TL

**From:** Scobie, Teresa A (TERRY) [terry.scobie@verizon.com]  
**Sent:** Tuesday, February 16, 2010 9:47 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** O'Roark, Dulaney L; Clark, Demetria Germaine; David Christian  
**Subject:** Docket No. 090550-TL - Verizon Florida LLC's Amended Petition for Variance from Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073, F.A.C.  
**Attachments:** 090550 VZ FL Amended Petition 2-16-10.pdf

The attached is submitted for filing in Docket No. 090550-TL on behalf of Verizon Florida LLC by

Dulaney L. O'Roark III  
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The attached document consists of a total of eight pages - cover letter (1 page), Amended Petition (6 pages) and Certificate of Service (1 page).

Terry Scobie  
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Verizon Legal Department  
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February 16, 2010 – **VIA ELECTRONIC MAIL**

Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 090550-TL  
Petition of Verizon Florida LLC for Variance from Rules 25-4.0185 and 25-4.073,  
F.A.C.

Dear Ms. Cole:

Attached for filing is Verizon Florida LLC's Amended Petition for Variance from Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073, Florida Administrative Code. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at (770) 284-3620.

Sincerely,

s/ Dulaney L. O'Roark III

Dulaney L. O'Roark III

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Enclosures

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition of Verizon Florida LLC for Variance )  
from Rules 25-4.0185 and 25-4.073, F.A.C. )  
\_\_\_\_\_ )

Docket No. 090550-TL  
Filed: February 16, 2010

**AMENDED PETITION OF VERIZON FLORIDA LLC FOR  
VARIANCE FROM RULES 25-4.0185, 25-4.066, 25-4.070 AND 25-4.073, F.A.C.**

Verizon Florida LLC ("Verizon") hereby files its Amended Petition for Variance from Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073, Florida Administrative Code.<sup>1</sup> Verizon seeks a variance because it will require several months to make the systems changes necessary to collect and report service quality rule ("SQR") data exclusively for basic customers, as required by the recent changes to Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073. While these systems changes are being made, Verizon would collect and report SQR data for all residential telecommunications customers, as it has done for prior reporting periods.

1. Verizon is a Florida local exchange telecommunications company ("ILEC") with its principal place of business at 201 N. Franklin Street, 37<sup>th</sup> Floor, Tampa, Florida 33602.

2. Verizon may be served through its counsel, whose address, telephone number and facsimile number are as follows:

Dulaney L. O'Roark III  
P. O. Box 110, 37<sup>th</sup> Floor  
MC FLTC0007  
Tampa, Florida 33601-0110  
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<sup>1</sup> The amended petition is filed in accordance with Rule 28-106.202, Florida Administrative Code.

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## BACKGROUND

3. Verizon complies with a number of service quality rules, including those addressing the intervals for service installation (Rule 25-4.066), repair service (Rule 25-4.070) and call answer time (Rule 25-4.073), and reports its performance quarterly on Form PSC/SSC 28 schedules as required by Rule 25-4.0185. Through 2009, Verizon and other Florida ILECs reported this information for all residential telecommunications customers.

4. The Commission issued a Notice dated October 2, 2009 that it was adopting amendments to its service quality rules providing, among other things, that they would apply to basic local telecommunications service only and that beginning January 1, 2010, ILECs would be required to collect and report data for the required Form PSC/SSC 28 schedules for basic customers only.<sup>2</sup>

5. In its original petition, Verizon notified the Commission that it would not be able to provide basic-only call-answer-time information during the first two quarters of 2010. Verizon has since determined that it also will not be able to report basic-only installation and repair information during this period. Verizon's efforts to modify its systems to generate basic-only installation and repair information, its need to make more extensive changes, and its request for a variance during the interim are described below. Verizon also explains below its request for a variance from the Commission's answer-time reporting requirements.

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<sup>2</sup> *In re: Initiation of rulemaking to amend and repeal rules in Chapters 25-4 and 25-9, F.A.C., pertaining to telecommunications*, Notice of Adoption of Rules, Docket No. 080641-TP, Order No. PSC-09-0660-FOF-TP (Oct. 2, 2009).

A. Installation and Repair Reporting

6. In 2009 Verizon took steps to enable it collect and report basic-only installation and repair data under Rules 25-4.066 and 25-4.070. In November 2009, Verizon created a table designed to extract from its data warehouse information on installations and repairs for basic customers. The programming code for the table was installed and tested in December 2009 and January 2010. During testing, Verizon determined that the information being extracted from the data warehouse included information for basic and nonbasic customers. When Verizon sought to fix the problem, it determined that the data warehouse did not include all the service codes necessary to filter out nonbasic customers repair service information. Further, the data warehouse did not include the fields necessary to determine whether customers were presubscribed to long distance carriers, which is necessary to isolate basic customer installation and repair service information.

7. Verizon is in the process of determining the systems work that will be necessary to ensure that all necessary service code information is transmitted to the data warehouse and that the warehouse includes data fields indicating whether customers are presubscribed to long distance carriers. Verizon estimates that making these changes will cost at least \$250,000 and will require approximately 5,000 hours of Information Technology ("IT") work. Verizon projects that it will not be able to complete the work before June 2010.

B. Call-Answer-Time Reporting

8. Verizon currently does not distinguish between calls to its business and repair call centers based on whether they are made by basic or nonbasic customers. All calls are routed to an integrated virtual response unit that gives customers the option of transferring to a live attendant. When customers request an attendant, their calls are routed to an automatic call distributor that routes them to the next available representative. Verizon's systems currently are incapable of distinguishing between basic and nonbasic customers because they have no screening logic that could identify and separate the calls on that basis. Nor is a workaround possible in which representatives would ask customers whether they have basic or nonbasic service, even assuming that were practical (which it would not be). The answer time interval is completed when the representative answers the call, so at that point the clock has stopped and the measurement data has been collected. Verizon's systems have no way to associate that measurement data with any information the customer provides after the representative answers the call.

9. Verizon has requested its IT department to make the system changes necessary to identify and screen basic and nonbasic callers so that Verizon can collect and report answer-time data for basic customers only. Verizon estimates that it will cost more than \$500,000 and require approximately 10,000 hours of IT work to complete this project. Verizon currently expects that it can complete the project by June 2010.

10. Verizon notes that after the system changes are made, it still will not be possible in all cases to determine whether a customer has basic or nonbasic service. For example, the customer may not provide his or her telephone number; in some

cases Verizon's systems may not be able to determine, based on the number provided, whether the customer has basic or nonbasic service; or the customer may have an account with multiple lines, some providing basic service and others providing nonbasic service. In cases where Verizon cannot determine whether the customer has basic or nonbasic service, it will treat the call as coming from a basic customer.

### **REQUEST FOR VARIANCE**

11. Pursuant to Rule 28-104.002, Verizon requests a variance from the provisions in Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073 that require Verizon to collect and report SQR data and comply with SQR intervals for basic customers only.

12. Rule 25-4.118 states that it was implemented pursuant to sections 364.01(4) and 364.183(1), Florida Statutes; Rule 25-4.066 states that it was implemented pursuant to sections 364.025, 364.15, 364.183 and 364.185, Florida Statutes; Rule 25-4.070 states that it was implemented pursuant to sections 364.01(4), 364.15, 364.183 and 364.386, Florida Statutes; and Rule 25-4.073 states that it was implemented pursuant to sections 364.01(4), 364.386 and 365.171, Florida Statutes.

13. Verizon requests the variance from Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073 because compliance by January 1, 2010 imposed an undue hardship and proved to be physically impossible in that, as explained above, Verizon estimates that extensive IT work will be required to implement the necessary system changes and that it will not be possible to make those changes any earlier than June 2010.

14. Verizon's variance request serves the underlying purposes of Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073 because it will give Verizon time to make the

changes necessary to comply with the revised rules. In the interim, Verizon plans to collect and SQR data for all residential telecommunications customers, just as it has done for prior reporting periods, which will provide a good interim proxy for basic-only data.

15. Verizon requests a temporary variance, until June 30, 2010, to implement the system changes described in this Amended Petition. Verizon further requests that Staff be authorized to extend the temporary variance for up to an additional six months in the event that it takes Verizon longer than currently expected to complete the system changes.

#### **CONCLUSION**

WHEREFORE, Verizon respectfully requests that the Commission approve its request for a variance from Rules 25-4.0185, 25-4.066, 25-4.070 and 25-4.073.

Respectfully submitted on February 16, 2010.

By: s/ Dulaney L. O'Roark III  
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Attorney for Verizon Florida LLC



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that copies of the foregoing were sent via U.S. mail on February 16, 2010 to:

Staff Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Joint Administrative Procedures Committee  
The Holland Building, Room 120  
Tallahassee, FL 32399-1300

s/ Dulaney L. O'Roark III