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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

SEP 17 1999

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IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

**RHYTHMS LINKS INC.'S
COMMENTS ON THE ARIZONA
OSS TEST PLAN**

INTRODUCTION

Rhythms Links, Inc. ("Rhythms") respectfully submits the following comments on the Master Test Plan proposed by consultants for the Arizona Corporation Commission ("ACC").

This week, in its UNE Remand Order, the Federal Communications Commission ("FCC") again reaffirmed its requirement that incumbent local exchange carriers ("ILECs") like US West Communications, Inc. ("US West") provide nondiscriminatory access to operations support systems and related databases ("OSS") as an unbundled network element.¹ The FCC again found

¹ The FCC Remand Order has not been released by the FCC, however, its unofficial summary of the Order makes clear that OSS will remain an unbundled element and that the definition of OSS will be expanded to include "loop qualification data." See FCC Report No. CC 99-41 (rel. Sept. 15, 1999). Assuming that a stay is not granted, the FCC Remand Order will be fully effective by the time testing of OSS commences in Arizona.

1 that OSS is a critical link in allowing new entrants to offer competitive services through leasing of
2 unbundled network elements. Indeed, the FCC has further expanded upon on the definition of
3 OSS to clarify that OSS must include the OSS data bases that are available to the ILECs
4 themselves.

5
6 In addition, the FCC has previously identified access to OSS as a linchpin in determining
7 whether a Bell Operating Company (BOC) has opened its network sufficiently to competing
8 carriers so that it may seek relief from the restrictions on its providing in-region interLATA
9 services.² Most fundamentally, the federal Telecommunications Act (the “Act”) and the FCC
10 rules require the ACC to focus on whether US West’s OSS is sufficient to provide access to
11 network elements such that new entrants can provide the services they seek to offer. As the FCC
12 ordered, it must be “determine[d] whether the BOC has deployed the necessary systems and
13 personnel to provide sufficient access to each of the necessary OSS functions” *Ameritech Mich.*
14 *271 Order* ¶ 136. The focus, then, in testing US West’s OSS must not only be on the adequacy of
15 the systems that US West has put into place but also on whether the systems put into place cover
16 the range of services that CLECs seek to offer.

17
18 The Act and the FCC orders also require that the OSS systems be nondiscriminatory or
19 “equal to the level of access that the BOC provides to itself, its customers, or its affiliates, in terms
20 of quality, accuracy, and timeliness.” *Id.* ¶ 139.

21
22 In examining the Master Test Plan before the ACC, Rhythms is concerned that the Test
23 will not provide sufficient data to determine whether access to US West’s OSS will be sufficient

24
25 ² *Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act*
26 *of 1934, as amended, To Provide In-Region, InterLATA Services in Michigan, CC Docket*

1 to meet the demands of Section 271 of the Act. In particular, the Test Plan does not provide any
2 relevant data on how a CLEC like Rhythms accesses the unbundled network elements necessary
3 for provision of xDSL-based service through US West's OSS. The plan's designers frankly
4 acknowledged that they did not intend to assess any level of functionality or performance with
5 respect to ADSL. See Master Test Plan, at 17. It is also clear from workshop discussions that the
6 plan does not attempt to assess US West's OSS with respect to DSL-capable loops.
7

8 Without testing of OSS functions with respect to DSL, the Test Plan is simply a non-
9 starter for CLECs like Rhythms. Indeed, today in Arizona, Rhythms believes that the *majority* of
10 CLEC loop orders handled by US West are for DSL-capable loops. The data produced by the
11 Test Plan will clearly not be useful in determining US West's compliance with the Act because it
12 ignores the single most important type of order handled by the incumbent today. This oversight
13 must be remedied in order to provide the ACC with useable data concerning US West's OSS.
14

15 DISCUSSION OF THE TEST PLAN

16 The following are Rhythms' specific comments and proposed changes to the Master Test
17 Plan:
18

19 *1. Inclusion of DSL-Capable Loops in the Test Plan is Imperative*

20 As Rhythms emphasized in the initial workshop, the Test Plan will fall short in meeting
21 the basic needs of the ACC in determining whether US West's OSS is adequate and
22 nondiscriminatory if it does not test DSL-capable loops. CLECs offering DSL and other
23
24
25

26 No. 97-137, Memo. Op. & Order, FCC 97-298, ¶ 136 (rel. Aug. 19, 1997) ("*Ameritech Mich. 271 Order*")

1 broadband services need OSS to order and provision several key components of their network,
2 namely, a DSL-capable loop.

3 A DSL-capable loop is nothing more than a clean copper loop (*i.e.* 2-wire non-loaded loop
4 or, alternatively, ISDN-capable loop) that is free of load coils and excessive bridged taps to allow
5 DSL bandwidth signals to pass along the loop. Loop “deconditioning” (the removal of
6 unnecessary POTS extension technology, such as load coils and bridged taps), may be necessary
7 before delivering the loop. DSL capability also depends on the length of the loop, and whether
8 the particular customer’s line is served by digital loop carrier (DLC) facilities. When US West
9 provides its own ADSL service to its retail customers it can rapidly determine by querying its
10 existing data bases whether deconditioning is necessary, what is the loop make-up (*e.g.*, loop
11 length, presence of load coils, bridged taps, repeaters, DAMLs or DLC). US West is also able to
12 order electronically the deconditioning of its loops or to effect a work-around of a DLC. US
13 West’s OSS can only be adequate and nondiscriminatory if it can provide CLECs with the
14 equivalent quality of service that it provides to its retail arm. Therefore, to have an accurate
15 gauge of US West’s OSS performance, the ACC should supplement its testing by examining UNE
16 DSL-Capable Loops (*e.g.*, 2-wire non-loaded or ISDN-capable) at sufficient volumes to assure
17 parity treatment.

21 *2. Testing of Pre-Ordering Functionality Must Include Loop Make-Up and Other Key
22 Data.*

23 The testing of DSL-capable loops should also include testing of the US West OSS’s ability
24 to provide pre-order loop make-up data. The FCC’s UNE Remand Order requires ILECs to
25 provide nondiscriminatory access to loop make-up information: “The OSS element includes
26

1 access to all loop qualification information contained in any of the incumbent LEC's databases or
2 other records needed for the provision of advanced services.”³

3 As the Test Plan currently stands, there are no measurements of pre-ordering loop make-
4 up data. See Master Test Plan Appendix B, at 3. Rhythms therefore proposes that an additional
5 transaction type should be inserted at App. B-3: “(7) Loop Make-up Record.” Rhythms refers to
6 a “loop make-up” record to distinguish it from what some ILECs refer to as a “loop qualification”
7 record which is a very different species. The loop make-up record is the actual physical
8 description of the loop which includes loop specifications (*e.g.*, length, gauge, presence of load
9 coils, bridged taps, repeaters, DAMLs, DLC) of the loop. A loop qualification record is the
10 ILEC's assessment of whether the loop is DSL-capable or not. CLECs like Rhythms need the
11 loop make-up record in order to determine whether and in what manner they will be able to serve
12 a customer. A simple ILEC specified “red light/green light” loop qualification indication is not
13 sufficient for Rhythms to make a business judgment as to whether it can serve the customer,
14 because US West's assessment of what is DSL-capable is often very different from Rhythms’.

17 3. *The Mast Test Plan Should Test FOC and CFA Responses*

18 Two additional transaction types should be considered in assessing pre-ordering and
19 ordering functionality. In Rhythms' experience with US West to date, the two areas where
20 Rhythms has the most difficulty in getting timely and accurate responses from US West's OSS are
21 in Firm Order Commitments (FOCs) and Unbundled Loop Connecting Facilities Assignments
22 (CFAs). US West has complete control over the data to create these responses and yet it
23 consistently provides late and/or incorrect FOCs and CFAs. Therefore, Rhythms proposes two
24
25

26 ³ FCC Report No. CC 99-41 (rel. Sept. 15, 1999).

1 additional fixes: First, a transaction type should be added to those delineated in Appendix B, at 3
2 --“(9) Connecting Facilities Assignment.” Second, the Test Plan should measure the percentage
3 of FOCs issued within the contractual period (which is typically 48 hours after order acceptance).
4 Rhythms therefore proposes that an additional measurement be added to the Test Plan at
5 Appendix B, at 7:

6
$$\left[\frac{\text{(Total FOCs Assigned within 48 Hours of Order Acceptance)}}{\text{(Total FOCs Assigned)}} \right]$$

7
8 x 100

9 These additions will better measure the actual experience of CLECs using the pre-ordering and
10 ordering functionality of US West’s OSS.

- 11 4. *The Testing of Ordering Functionality Should Include Measurement of the OSS’s*
12 *Success Rate in Flowing Through DSL Orders to Completion without Human*
13 *Intervention.*

14 Rhythms continues to be concerned that the Master Test Plan predominantly
15 measures cosmetic parts of the ordering functionality (such as how long it takes US West to
16 answer a telephone call) without getting to the heart of CLECs’ concern that US West’s
17 OSS provides for an inordinate amount of human intervention on basic DSL and POTS
18 loop orders. Substantial manual processing in OSS is flatly discriminatory, because US
19 West has electronic flow-through on the vast majority of its own retail orders. As the FCC
20 has clearly mandated: “[A] BOC must demonstrate that it has developed sufficient
21 electronic and manual interfaces to allow competing carriers to access all of the necessary
22 OSS functions. For those functions that the BOC itself accesses electronically, the BOC
23 must provide equivalent electronic access for competing carriers.” *Ameritech Mich. 271*
24
25
26

1 Order ¶ 137. Discriminatory and excessive manual OSS processes are a significant barrier
2 to entry because manual processing is simply not scalable to larger volumes of orders.
3

4 To directly measure the effect of manual ordering in US West's OSS, Rhythms
5 proposes the addition of a test scenario for ordering. The test scenario can be inserted in
6 Appendix B, following page 3. The test scenario will measure the number of orders that
7 are rejected for incorrect data or are pulled for manual processing by the US West Held
8 Order Group. The test will be measured for each of the 9 transaction types set forth on
9 page 3 of Appendix B (6 + the 3 additional transaction types for DSL loop make-up, CFA,
10 and FOC). The test scenario should also calculate the percentage of transactions that flow
11 through to completion without rejection or manual intervention. These performance levels
12 can be measured by the formulae:
13

14
15
$$\frac{[(\text{Total Orders Rejected or Held for Errors by Transaction Type}) / (\text{Total Orders Entered})] \times 100$$

16

17
$$\frac{[(\text{Total Orders Completed without Rejection or Being Held}) / (\text{Total Orders Entered})] \times 100$$

18
19

20 The proposed test scenario can account for rejections that are based on errors not within the
21 control of US West, and those exclusions can be discussed by the parties, the staff, and the
22 consultants at the workshops.
23

24 5. *The Test Plan Must Assess Jeopardy Notification as Part of Provisioning*

25 Obviously, the single most important aspect of the provisioning functionality of OSS is
26 whether the ILEC successfully installs a customer on the commitment date. Often, however, US

1 West has information that leads it to believe that the installation is going to be delayed or is in
2 jeopardy. In the normal course of its business, US West uses that information to notify its retail
3 arm of the potential jeopardy. A new entrant should have access to the same information and
4 notification that an order is in jeopardy and why. That way, it can notify customers and properly
5 set customer expectations. The Test Plan does not currently measure any notification of
6 provisioning jeopardy, therefore, Rhythms proposes the following additional test formula to
7 supplement the Test Plan at B-7:
8

9
$$[(\text{Jeopardy Notification Date \& Time}) - (\text{Original Due Date \& Time})] / (\text{Number of Orders}$$

10
$$\text{Not Completed on Original Due Date})$$

11

12 CONCLUSION

13 Rhythms does not intend this to be an exhaustive list of its proposed changes to the Master Test
14 Plan, however, it does represent what Rhythms believes are the most pressing needs to be
15 addressed in the Test Plan. Rhythms looks forward to participating in the scheduled ACC
16 workshops and working cooperatively with staff, the Test Plan consultants, and other parties.
17

18
19 RESPECTFULLY submitted this 17th day of September, 1999.

20
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