

**Pennsylvania Carrier Working Group
Agenda for Meeting
Tuesday, March 4, 2003, 11:00 AM
Keystone Building, Jr. Exec. Chambers – 3rd Floor
Harrisburg, PA 17120**

**“Caller-pays toll” Bridge to be provided by Verizon PA
Bridge details will be circulated to known participants.**

Contact Cathy Armstrong (717-783-2810) for driving directions

Structure

1. **“Sign-in please” –**
2. **Today’s Minutes – Staff & Industry Volunteer _____**
3. **Minutes from February 12, 2003**
4. **Discussion of PA CWG’s *Statement of Purpose, Guidelines for Participation, and Waiver Agreement* — if necessary**
5. **Process of documenting results of PA CWG and subgroups and producing agendas –**
 - a) **On-going –**
 - i) **PA Scope and Schedule – Mike & Louise**
 - ii) **Issue Tracking document – Verizon PA**
 - iii) **Parking Lot - _____**
6. **Hosting the Periodic Conference Calls**
 - a) **Today’s bridge and next two calls - Verizon PA**
 - b) **Bridge for next several trio sets of calls**
7. **Agendas for PA CWG & subgroups –**
 - a) **PA CWG Agenda – Staff & Industry volunteer _____ to prepare draft**

Staff and Mike Clancy are doing March, April, & May 2003

- b) **Agenda & Minutes for subgroups meetings or less-than-full-PA CWG calls –**
 - i) **Are we agreed that notice needs to go to entire PA CWG before sessions?**
 - ii) **How does entire PA CWG stay informed re subgroup work and progress?**

8. **Webpage and E-access (listserve) Update –**

- a) **Status of posting PA GLs and PA PAP on Verizon/Verizon PA website**
- b) **Location of information on the PA PUC website**
 - i) **How to know where to find info on the PA website**
 - ii) **How to know when to look to the NY websites**
- c) **NY PSC and VZ NY websites as models**

Do we need an explanation of the NY PSC and Verizon NY websites for those persons who are not presently using the NY sites? Full PA CWG or just for those who do not routinely use the NY sites?
- d) **Listserve – Can anyone in the industry create one?**

9. **Decision making**

Subgroups make recommendations to the full group.

Full group makes final CWG decision.

The standard for consensus will be “alignment,” not necessarily total agreement; in other words, “can you live with it?”

The decision will be either that consensus has been reached or not reached; and if not reached, the further decision will be whether the PUC needs to resolve the issue or whether the group will continue working on the issue.

- a) **HOW OFTEN DO WE TEST FOR CONSENSUS?**
- b) **WHEN DO WE DECIDE WE HAVE GONE AS FAR AS WE CAN GO?**

10. How and when to pick an Industry Chair of this Group?

11. Other –

Procedure

12. **Having established a schedule which has been adopted by the PUC, are we ready yet to plug in dates and set host for CWG conf call for consideration of 4Q02 metrics changes and 1Q03 remedies changes from NY?**

Action Item	Due Date	DATE
VZ PA files notice of NY PSC action changing NY GLs & NY PAP	Complete (filed by VA PA in M-00011468)	
VZ PA files petition re importing NY changes into PA GLs & PA PAP (“Redline” Updates)	15 calendar days after <i>PMO II</i> compliance filing approved	
PA CWG conf call to discuss Updates	Within 7 cal days of Updates filing HOST:	
Comments from parties	14 cal days after Updates filed	
Reply comments	10 cal days after comments due	
Staff Report to be prepared by Law Bureau and FUS		
Commission action		
Implementation (Schedule to have been proposed in petition and discussed in conference call, comments, and reply comments)	Schedule subject to nature of changes and conformance to change control management process, noting that remedies changes are predicated upon metrics changes	

FYI: Link to Sec letter:

[http://www.puc.paonline.com/telecomm/PMOII/PMOII_SL_021203.pdf]

13. **Reconciliation of PMO II procedures for Future Changes with PA CWG concerns and experience in other states**

- a) **What PMO II actually provides for – See handout of extract from *PMO II***
- b) **Consistent with the 2/12/03 discussion re intervals for the existing NY changes (see item 12), are the timelines in the *PMO II* practicable? “Need for “clarification””? – Y or N**
- c) **If Y, manner for clarification**
 - i) **CWG recommendation to PUC**
 - ii) **Order or Sec Letter or other?**

14. How to handle future changes based on NY activity (after resolution of Compliance and post May 2002 changes)

SHOULD THIS PROCESS APPLY TO CHANGES COMING OUT OF ANY OTHER STATES? -- Y or N? If yes, are there any adjustments or exceptions?

a) REVIEW AND ADOPTION OR MODIFICATION OF THE FOLLOWING FROM 2/12/03 DISCUSSIONS It was agreed that the timeline proposed on 2/12/03 would be reviewed by the Pa CWG prior to it becoming the operative timeline. On a going- forward basis (*i.e.*, post 4Q2002 changes to the NY GLs and/or post 1Q2003 changes to the PAP):

- i) Changes to the PA metrics and PA remedies will be timed to avoid mid-month breaks.
- ii) Participants will address continuity of multiple misses in comments and reply comments re proposed changes rather than as a compliance issue.
- iii) Regular updates to the PA GLs and PA PAP would follow the following timetable.

Event	Timeframe Guidelines	Timeframe PAP
NY CWG consideration of a matter	Participants to watch NY CWG Scope and Schedule which will all be a line item in the Pa Agenda	It is unsettled how Participants will know that remedies changes are under discussion in NY
NY PSC Action		
Verizon PA Notifies PA PUC in writing and PA CWG participants via email	10 Days after NY PSC Action	10 Days after NY PSC Action
Item is posted to PA PUC CWG Scope and Schedule		
Compliance filing by Verizon NY in NY	15 Days after NY PSC Action	15 Days after NY PSC Action
Verizon PA files Petition with PA PUC on how NY changes would be incorporated in PA GLs or PA PAP, including an implementation schedule	30 Days after Compliance Filing in NY	30 Days after Compliance Filing in NY
PA CWG Conference Call	7 days after Petition filing	7 days after Petition filing
Comments (Verizon PA & others)	20 days after Petition filing	20 days after Petition filing
Reply Comments (Verizon PA & others)	10 days after Comments	10 days after Comments
Ad hoc paper, PA CWG, or hearing process	as required	as required
Staff Report		

Commission Action		
Compliance filing by Verizon in PA	Case-by-case basis, depending on change control and implementation proposals and comments/RCs.	Subject to provision that metrics changes must usually precede remedies changes, case-by-case basis, depending on change control and implementation proposals and comments/RCs.

b) NEW Discussion for 3/4/03 –

i) Need Industry person to assist staff in watching NY Scope and Schedule (& elsewhere, if necessary) to be sure we get NY Scope and Schedule items appropriately to PA Agenda as contemplated in chart above

1) Will monthly Agenda notice of NY Scope and Schedule activity be frequent enough notice to PA entities?

ii) Reconciliation of 2/12/03 proposal with *PMO II* which calls for PUC action to decide if going to presumptively rely on NY deliberative process, actively participate in NY deliberative process or have parallel deliberative process.

15. Presumptions and burdens

a) **We touched briefly on burden of proof on 2/12/03. Is the following consistent with the CWG's understanding?:** OP 16 of *FSSO* established a rebuttable presumption that PA PAP would be based on NY PAP. *VZ PA 271* proceeding established a similar rebuttable presumption that PA GLs would be based on NY GLs. (*PMO II* at 3). Thus, burden of proof will be on party opposing importation of NY metric or remedies change to show why change should not be imported into PA. However, proposals to differentiate from NY GLs or NY PAP will not require proponent to prove that telephone business is different in PA than in NY. (*PMO II* at 15). The PUC, however, may deny or adjust importation of a NY change *sua sponte*.

- b) **New question:** Where are the burden of proof and burden of persuasion if a challenge is raised that the VZ PA petition to import (*i.e.*, an Update) does not accurately reflect the NY changes translated into the PA marketplace?

 - c) **What presumptions and burdens apply, if any, to importing changes from states other than NY or to cases of “first consideration” in PA?**
16. **How to handle a request to import changes from a state other than NY (if not using “NY Changes” process in 14 above)?**
- a) **Do any presumptions apply?**

 - b) **Process**
17. **How to handle matters that are “initially” before the PA CWG – *i.e.*, not resolved elsewhere) – Two issues here –**
- a) **Process for handling changes** – Can we develop a “calendar”(such as has been developed for NY changes) or flow chart that addresses the three-pronged *PMO II* process concerns and the PA CWG concerns

 - b) **Tracking and scheduling specific changes –**
 - 1) **Scope and Schedule**
 - 2) **Issue Tracking**
 - 3) **Parking Lot**
18. **Other–**

Substantive Issues

19. Specific Topics to be scheduled for PA CWG discussion -- POSTING TO PA SCOPE & SCHEDULE; ISSUE TRACKING; & PARKING LOT

Topic	S/S; IT; Prkng	Description	Action	Next Date
4/1/03 cut to <i>PMO II</i> GLs & PAP	S?S	Cutover to new metrics & remedies	Status report	
DL/WP		<p>This matter is presently under litigation before the PUC:</p> <ul style="list-style-type: none"> •Verizon PA’s Petition for Recon of the <i>PMO II</i> directive to use the Joint Proposal DL/WP metrics; opposed by various CLECs and the statutory advocates •Various CLECs’ contention that Verizon PA did not accurately incorporate the Joint Proposal DL/WP metrics into the compliance filing; disputed by Verizon PA. <p>To date, DL/WP subgroup consists of: OSBA: Angela Jones; AT&T: Chris Nurse & Joe Bloss; Curry: Brian Curry; CTST: Diana Ashford & Linda Smith, Cavalier: Rick Stubbs & Todd Hilder; OTS: Kandace Melillo; OCA: Christy Appleby; Verizon PA: Beth Abesamis; & PUC: Gail Wickwire & Louise Fink Smith.</p>	<p>Pending Order</p> <p>Pending Sec Letter</p>	
Small-sized samples	Parking	4Q2002 NY metrics changes may resolve the issue		
Billing Accuracy			<p>1) Dscs</p> <p>2) update on NY status</p>	3/4/03 @ 2 PM ¹

¹ MRM – Maryanne Martin -- will also explain the function of the OP 12 Group.

			3) MRM re OP 12 issues	
GTE Merger into Verizon OSS	Parking	June 2003 date may have slipped. Even after the merger, Verizon PA does not intend to include the former GTE performance in the metrics and remedies reports even though the OSS will have merged because the PA Guidelines and PA PAP do not cover the former GTE operations.		
Transition oversight	S/S	Work with “Commercial Ops” Consultant – Pre-proposal meeting in February 27, 2003, at 1 PM in a Harrisburg Hearing Room. Contact Lou Mazza (Audits) – 717-772-0300.		
Working with NY CWG –	S?S		Staff will contact J. Brilling	
When will other PA ILECs have metrics? (Frontier in NY has metrics.)	Parking			
Documenting anecdotal problems	Parking			

20. **Other–**

Schedule

21. **Next meeting April 1, 2003**

Time:

Place

Lunch

Call Host:

Industry CO-agenda (for that meeting)

Industry CO- minutes (for this meeting)

Contacts – Gail Wickwire 717-787-2101; Louise Fink Smith, 717-787-8866; or Cathy Armstrong, 717-783-2810.

[Unofficial EXTRACT from
December 10, 2002 *PMO II*;
Not for citation purposes]

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held November 21, 2002

Commissioners Present:

Glen R. Thomas, Chairman
Robert K. Bloom, Vice Chairman
Aaron Wilson, Jr.
Terrance J. Fitzpatrick
Kim Pizzingrilli

Re: Performance Measures
Remedies

M-00011468

**FINAL OPINION AND ORDER ON
PERFORMANCE MEASURES AND REMEDIES
FOR WHOLESALE PERFORMANCE FOR
VERIZON PENNSYLVANIA INC.
(PMO II)**

~~~~~[Discussion]~~~~~

**E. Disposition** [starting at page 86]

We agree that participation in the NY CWG or a Verizon footprint CWG would serve a useful purpose, and we shall endeavor not to duplicate the valuable work

completed therein. However, we still see the need for a similar process in Pennsylvania to manage changes issues and implementation issues when there are metrics and/or remedies issues to be resolved in Pennsylvania, especially if such issues can be resolved by consensus. Accordingly, we shall address this aspect in three parts: our participation in the NY and/or other CWGs; the process of changes in PA Guidelines and PAP; and creation of a PA CWG.

### **1. Participation in the New York and/or other CWGs**

Staff is hereby authorized to coordinate with the NY PSC and NY CWG and/or other state or federal commissions or CWGs to facilitate reciprocal participation among the states in the various CWG operation.

### **2. Change Process in Pennsylvania**

At the outset, as we stated in the *Tentative Order*, we believe that the process for proposing changes should be the same for both the PA Guidelines and the PA PAP. While the process for change to the PA Guidelines or the PA PAP can be initiated either through an informal process, such as a CWG, or the Commission's formal process, such as complaint or joint petition, changes to either the PA Guidelines and the PA PAP will become effective only after official Commission action.

Because we want to ensure that interested Parties, as well as the Commission, are aware of changes that may be needed in Pennsylvania but are proposed in New York, we shall affirm the following notice requirements established in the *Tentative Order*. First, any party doing business in Pennsylvania proposing to the NY CWG a change to the NY Guidelines and/or PAP shall be required to submit notice to the Commission and the PA CWG within ten days after submitting that proposal to the NY CWG. The Commission will post on its website notice of the proposed change. At that

point, the PA CWG, any interested party and/or the Commission may decide to pursue a similar change here in Pennsylvania. Any party can utilize the Commission's complaint and/or alternative dispute resolution process to change the PA Guidelines and/or the PA PAP. Second, once the NY PSC<sup>1</sup> has adopted a formal change to its Guidelines and/or PAP, Verizon PA will be required to file formal notice with the Commission and the PA CWG within ten days after the NY PSC takes action. After a 15-day comment period, the Commission will decide whether to adopt the change, to send it to the Office of Administrative Law Judge, or refer it to the PA CWG.

### **3. PA CWG**

We agree with the CLECs and the OCA that the Parties should not have to take matters first to the NY CWG. We believe that a functional PA CWG, which is intended to be an informal way for the Parties to recommend to the Commission that changes be made to the PA Guidelines and/or PA PAP, is crucial to the process. This group would be comprised of CLECs, Verizon PA, and Commission staff from the Bureau of Fixed Utility Services and the Law Bureau, and statutory advocates. FUS staff will facilitate the group, at least initially, with the support and assistance of Law Bureau staff. Eventually, the role of facilitator may be assumed by a carrier or rotated among the carriers. Any consensus reached through this group would need final Commission approval before changes are made to the then-current PA Guidelines and PA PAP.

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<sup>1</sup> It is our understanding that the NY CWG does not address remedies issues. Our CWG will address both Guidelines/metrics and PAP/remedies issues.

~~~~~[Ordering Paragraphs, starting at page 97]~~~~~

18. That any party doing business in Pennsylvania and proposing to the New York Carrier Working Group or the New York Public Service Commission a change to the New York Carrier-to-Carrier Guidelines and/or the New York Performance Assurance Plan shall submit notice to the Pennsylvania Public Utility Commission and the Pennsylvania Carrier Working Group of the subject matter involved within ten (10) days of submitting that proposal to the New York Carrier Working Group or the New York Public Service Commission. Further, should the parties or other Pennsylvania CLECs participate in carrier working groups in other jurisdictions (state or federal), they are advised to provide similar notice to this Commission under similar circumstances. Such notice need not disclose proprietary information or elements of confidential compromise negotiations, but rather is designed to give this Commission, the Pennsylvania statutory advocates, and the Pennsylvania CLECs notice that matters are going to be on an agenda and open for discussion.

19. That within ten (10) days of the formal adoption by the New York Public Service Commission of any changes to the New York Carrier to Carrier Guidelines and/or the New York Performance Assurance Plan, Verizon Pennsylvania Inc. shall file with this Commission and the Pennsylvania Carrier Working Group a full and complete copy of all such changes. Within fifteen (15) days of receipt of Verizon Pennsylvania Inc.'s filing, the active Parties may file with comments with the Commission as to whether the changes to the New York Carrier-to-Carrier Guidelines and/or the New York Performance Assurance Plan should be included in the Pennsylvania Carrier-to-Carriers Guidelines and/or Pennsylvania Performance Assurance Plan. After review of the Verizon Pennsylvania Inc. filing and the responses, this Commission shall determine whether to adopt the changes described in the filing, to send the matter to the Office of Administrative Law Judge, or to refer the matter to the Pennsylvania Carrier Working Group.