

**Pennsylvania Carrier Working Group
Minutes of Tuesday, March 4, 2003**

Structure

1. **“Sign-in please”** – **Harrisburg Attendees:** AT&T – Chris Nurse; Covad – Mike Clancy; CTSI – Linda Smith (Dilworth) OCA – Christy Ableby; OSBA – Angela Jones, PUC – Ted Farrar, Louise Fink Smith, Dale Kirkwood, John Matchik, Cyndi Page, Verdina Showell, Rick Watson, Gail Wickwire, Frank Wilmarth; Verizon PA – Louis Agro, Anthony Gay, Jennifer Ross;

Bridge Attendees: Allegiance – Alex Pantazis; AT&T – Joe Bloss; Broadview – Jennifer Kuhns; Cavalier – Richard Stubbs; Choice One – Anne Marie Sturtz; Curry – John Curry; Met-Tel – Anna Sokolo-Maimon; Penn Tel – Joelle Blaho-Sinclair; Verizon PA – Karen Barsotti, Marilyn Devito, Paul Rich; WorldCom – Karen Kinard

2. **Today’s Minutes – Staff & Industry Volunteer** Mike Clancy

3. **Minutes from February 12, 2003** – approved with addition of Rick Watson as PUC attendee and notation that Joe Crossby rather than Heather would handle the PA Issue Tracking document.

4. **Discussion of PA CWG’s *Statement of Purpose, Guidelines for Participation, and Waiver Agreement* — if necessary**

CWG Purpose:

A consensus decision is a decision that participants are willing to live with (or choose not to oppose).

CWG Guidelines:

Scope and Schedule items are forwarded via email to the chair of PA CWG.

Change consensus “assessment” to “determination.” As clarification, any participant may participate in the discussion of items, but when the PA CWG determines whether there is a consensus on a PA item (as opposed to a footprint-item), only the Primary Participants will weigh in.

Delete “Consensus Log” from seventh bullet.

Discussion surrounding the confidentiality provision (which was borrowed from the NY CWG Guidelines) – we will set up a method for seeking authorization to disclose certain information to other working groups.

CWG Waiver:

None of the Participants in attendance indicated any impasses relative to signing the Waiver.

Agreement (Purpose/Guidelines/Waiver)

Staff (Louise) will make changes and circulate clean copy. All attending Participants anticipate being able to sign off on the revised Agreement by the next PA CWG meeting.

5. **Process of documenting results of PA CWG and subgroups and producing agendas –**
 - a) **PA Scope and Schedule –** Mike & Louise
By March 11, decision on distribution of NY CWG example (J. Ross & M. Clancy to follow up with P. Nedbalsky NY PSC, who is retiring and may be replaced by Mike Rowley)
 - b) **Issue Tracking document, aka “Consensus Log” –** J. Crossney, Verizon PA
This will basically become appendix to attach to PUC orders adopting changes.
 - c) **Parking Lot –** generally part of Consensus Log

6. **Hosting the Periodic Conference Calls**
 - a) **Bridge for April & May 03** - Verizon PA
 - b) **Bridge for June, July, Aug 03 –** AT&T
Sept, Oct, Nov 03 -- WCOM

7. **Agendas & Minutes for PA CWG & subgroups –**
 - a) **PA CWG Agenda & Minutes –** Staff & Industry volunteer to prepare
Industry “volunteer” will be the entity that hosts that month’s call, WITH EXCEPTION THAT Mike Clancy will assist through May meeting.
 - b) **Agenda & Minutes for subgroups meetings or calls –**
 - i) Notice needs to go to entire PA CWG before “sub-sessions”
 - ii) Sub groups will keep PA CWG informed of subgroup work and progress through “Read Outs” at PA CWG meetings. Subgroups have discretion to send out info earlier.

8. **Webpage and E-access (listserve) Update –**
 - a) **PA GLs and PA PAP are on Verizon website**
www.verizon.com/wholesale/local/systems/performanceassurance
 - b) **PA PUC website:** Cindy Page & Rick Watson (PUC), Henry Lopez (Vz), and Elliot Goldberg (Met-Tel) to develop plan for PUC website to include:
Participation & Contact Information – Suggest using a pseudo pointer address [e.g., “Chair”] that can be secured & repointed as Chair changes.
PA CWG Status Document
Link to NY PSC website & Vz website
Agenda and Minutes
 - c) **NY PSC & VZ websites –** Visit & report questions/suggestions at next meeting.
(http://www.dps.state.ny.us/97c0139_CWG.htm)
(<http://www22.verizon.com/wholesale/cwgroup/0,16055,part,00.html>)
 - d) **Listserve –** PUC InfoTech does not have the resources at this time to “create” a listserve. A proprietary listserve would cost \$10.00/month maintenance fee with unknown setup fee.
PA CWG decided to use *ad hoc* email list based on the roster for the PA CWG meetings and other expressions of interest. Cathy Armstrong (PUC) to maintain.

Individual participants are responsible for maintenance of their own email distribution lists.

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?” and/or “Will you chose not to oppose it?”

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

See also discussion above on the Agreement (Item 4).

a) TEST FOR CONSENSUS? Proposals are vetted to the point where they are deemed consensus or non-consensus; they are re-visited prior to being presented to the commission.

b) WHEN DO WE DECIDE WE HAVE GONE AS FAR AS WE CAN GO?

When a body of work significant enough for commission action is produced.

Directory Listings/White Pages and possibly Billing Accuracy will be managed on their own tracks and not held up for a “significant body of work.”. These are considered significant enough for stand-alone commission action.

10. **Industry Chair** – John Curry was nominated.

11. **Other** –

Procedure

12. **Schedule for PA consideration of NY PSC’s 4Q02 metrics changes and 1Q03 remedies changes:** Sec letter:

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

Action Item	Due Date	DATE
VZ PA files notice of NY PSC action changing NY GLs & NY PAP	Complete (filed by Vz PA in M-00011468)	Done
PUC approves compliance filing [http://www.puc.paonline.com/telecomm/PMOII/PMOII_SL_030603.pdf] & rejects Pet for Recon re DL/WP [http://www.puc.paonline.com/PcDocs/376108.doc]		3/6/03
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	3/21/03
PA CWG conf call to discuss Updates	Within 7 cal days of Updates	On or b/4

	filing – HOST: Verizon	3/28/08
Comments from parties	14 cal days after Updates filed	4/4/03
Reply comments	10 cal days after comments due	4/14/03
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	

13. Procedures for Future Changes – reconciling *PMO II* provisions with PA CWG experience in other states

a) **What *PMO II* actually provides for – See handout of extract from *PMO II* *PMO II* Ordering Paragraph 18 – General consensus was that OP 18 should be clarified – Staff will prepare draft clarification for PA CWG review incorporating the following considerations:**

Proposals and adopted changes from states other than NY do not have the same presumptions or burdens as NY proposals and changes do.

For Guidelines and sub-group activities in NY, or other states, sharing items using the PA Scope & Schedule will work as meeting the notification requirements (subject to check with other states’ regulatory staff re proprietary considerations).

For pleadings filed in NY related to the PAP, if the filing parties forward a courtesy copy to Louise Fink-Smith who will then circulate or post it, the *PMO II* requirements will be met.

For other states and/or Federal actions, involved parties need only provide direction to where the information is located.

AFTER THE MEETING, A COMPROMISE SUGGESTION WAS OFFERED FOR PA CWG CONSIDERATION OF OTHER JURISDICTION ACTIVITY AS A MODEL FOR PA OPERATIONS: If a party wishes to reference or to discuss the metrics or remedies of jurisdictions other than New York and Pennsylvania in the PA CWG, that party should circulate to the members of the PA CWG any Orders on the issue from the relevant Commission and any relevant pleadings that the party has filed on the issue. Such materials should be circulated prior to the next monthly meeting at which the issue will be discussed. If further detail is needed to fully understand the issue, a member of the group may request that additional information be provided.

b) **Are the timelines for Future Changes (i.e., after resolution of Compliance and 4Q2002 & 1Q2003 changes) in the *PMO II* practicable? Need for “clarification”?** – Consensus of PA CWG from 2/12/2003 meeting will be presented for Commission order.

14. Procedures for Future Changes – Setting a schedule pattern

- a) **The timeline proposed on 2/12/03** was reviewed, modified, and adopted by the PA CWG. The timeline will go forward to the PUC as the recommendation of the PA CWG relative to prospective NY PSC changes to the PA GLs & PA PAP. Additionally:
- i) Implementation of changes to the PA metrics and PA remedies will be timed to avoid mid-month breaks.
 - ii) Chair noted the importance of raising needs/concerns prior to commission action. For example, Participants should address continuity of multiple misses in comments and reply comments re proposed changes rather than as a compliance issue.

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	PA CWG Participants (Primary or Secondary) addressing changes to the NY PAP in NY will file courtesy copies (paper & eversion) with the PA CWG Staff Chair who will then forward same to PA CWG (or post to PA website) and schedule as line item on PA Agenda
NY PSC Action		
Verizon PA Notifies PA PUC in writing and PA CWG participants via email of NY action	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 (Update)	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) Industry person to assist staff in ensuring that NY Scope and Schedule items are noted on PA Agenda as contemplated in chart above – [Rotating Industry host assisting with Agenda & Minutes for given meeting.](#)
- c) Monthly PA Agenda notice of NY Scope and Schedule activity [will suffice.](#)
- d) Reconciliation of 3/4/03 timeline 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. – [Will address at future PA CWG meeting](#)

15. Presumptions and burdens

- a) Is the following consistent with the PA 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*.**
[Parties to review this and respond at the next meeting or to share comments prior to next meeting to entire PA CWG distribution.](#)
- b) Where if a formal challenge is raised that a VZ PA petition to import (*i.e.*, an Update) does not accurately reflect the NY changes translated into the PA marketplace? [This question is a carry over from Staff’s experience with litigated compliance filings under *PMO I*. Staff gathered from the 3/4/03 discussion that, based upon experiences in other states, the opportunity to discuss an Update as part of the CWG process between the time it is filed and the time the Participants file comments is expected to virtually eliminate such](#)

challenges. It was generally agreed that it may not be necessary to seek further specifics on this issue at this time. It was also suggested that this group does not have the authority to “set rules” in this regard. Pursuant to 66 Pa. C.S. §332(a), generally speaking, the proponent of a rule or order has the burden of proof. Accordingly, further consideration of such procedural rules will be moved to the Parking Lot and restored to the active agenda if required.

c) What presumptions apply, if any, and burdens apply to importing changes from states other than NY or to cases of “first consideration” in PA? **There are no presumptions in favor of or against importing changes from states other than NY or in addressing a change of “first consideration” in PA. See also comments re 14b.**

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? – **No – see above.**
- b) Process – **We will wait to nail this down until we see how the process works for importing the NY changes.**

17. How to schedule and track matters that are “initially” before the PA CWG – i.e., not resolved elsewhere) – Two issues here — We will wait to nail this down until we see how the process works for importing the NY changes. See also the proposed revisions to circulate re OP 18 & 19 of the PMO II

- a) **Process for handling changes**
- b) **Tracking and scheduling specific changes –**

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 PMO II GLs & PAP	S/S	Cutover to new metrics & remedies – still on target for 4/1/03	Status report	

DL/WP		<p>AS of 3/4/03, this matter was 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>On 3/6/03 by Sec Letter, the compliance filing was accepted and on March 10, 2003, the Recon Pet was rejected as to DL/WP. The parties were directed to take the issues to the PA CWG.</p> <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>	DL/WP subgroup is in process of setting mtg dates.	
Small-sized samples	Parking	4Q2002 NY metrics changes may resolve the issue		
Billing Accuracy		<ol style="list-style-type: none"> 1) Dscs 2) update on NY status 3) MRM re OP 12 issues 	Discsn was limited due to confid provisions attaching to NY	3/4/03 @ 2 PM ¹

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

			CWG deliberations.	
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. Numerous consultants are involved in bidding.		
Working with NY CWG –	S/S		Staff will contact J. Brillling	
When will other PA ILECs have metrics? (Frontier in NY has metrics.)	Parking	To be determined		
Documenting anecdotal problems	Parking			

Bring back to NY CWG concern that activity around the Billing Metrics impact CLECs in PA and NY deliberations may or may not be inclusive of PA concerns. PA entities need to know as part of the PA CWG process what is going on in NY and the potential for NY deliberations to resolve PA issues. How can the NY CWG proposals be brought back to PA without violating confidentiality requirements of NY CWG?

M. Martin discussed OP 12 activity. Structural separation proceeding 90% of issues are billing issues. The billing OSS is different in PA from NY. Focus is on resolving operational issues between CLECs and Verizon rather than creating metrics.

20. **Other–**

Schedule

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

Time: 11 AM

Place: Hearing Room 4

Lunch – ~1:30 – 2 PM (feel free to brown bag it into the meeting)

Call Host: **Verizon**

Industry CO-agenda & minutes – **Mike Clancy**

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