

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,)
to consider Ameritech Michigan's compliance)
with the competitive checklist in Section 271 of the)
Federal Telecommunications Act of 1996)
_____)

Case No. U-12320

AFFIDAVIT OF JAMES D. EHR
ON BEHALF OF
SBC AMERITECH MICHIGAN

DATED: October 21, 2002

TABLE OF CONTENTS

SUBJECT	PARAGRAPH
PROFESSIONAL EXPERIENCE AND EDUCATIONAL BACKGROUND	2
PURPOSE AND SCOPE OF AFFIDAVIT	6
THE MICHIGAN COMMISSION'S PERFORMANCE MEASUREMENT	9
PERFORMANCE MEASURE INFORMATION IS AVAILABLE FOR CLECS ON AN ONGOING BASIS	15
DESCRIPTION OF STATISTICAL ANALYSIS METHODS	20
ACTUAL MICHIGAN PERFORMANCE MEASUREMENT DATA DEMONSTRATE THAT AMERITECH MICHIGAN IS FULLY COMPLYING WITH THE REQUIREMENTS OF SECTION 271	26
AMERITECH MICHIGAN'S PERFORMANCE MEASUREMENT DATA DEMONSTRATE COMPLIANCE WITH THE PERTINENT SECTION 271 COMPETITIVE CHECKLIST ITEMS	32
Checklist Item (i) - Interconnection	33
<i>Interconnection Trunks</i>	34
<i>Collocation</i>	38
Checklist Item (ii) - Access to Network Elements - OSS	41
<i>Pre-Ordering</i>	42
<i>Ordering</i>	46
<i>Firm Order Confirmations</i>	47
<i>Rejection Notices</i>	51
<i>Completion Notices</i>	55
<i>Line Loss Notices</i>	57
<i>Flow-through</i>	59
<i>Mechanized Provisioning Accuracy</i>	63
<i>Notice of Completion of Maintenance</i>	65
<i>OSS Interface Availability</i>	66
<i>Billing</i>	67
Checklist Item (iii) - Access to Poles, Ducts, Conduits, and Rights of Way	70
Checklist Item (iv) - Unbundled Local Loops	71
<i>UNE Loop and Port Combinations</i>	73
<i>Unbundled DSL Loops</i>	80
<i>Missed Installation Appointments</i>	81
<i>Average Installation Intervals</i>	89
<i>Installation Quality</i>	95
<i>Maintenance and Repair</i>	102
<i>Timeliness of Access to Pre-Ordering and Ordering Information</i>	106
<i>Unbundled Digital Loops</i>	113
<i>Missed Installation Appointments for Digital Loops</i>	114

<i>Average Completion Intervals</i>	122
<i>Installation Quality of Digital Loops</i>	125
<i>Timeliness and Quality of Digital Loop Maintenance and Repair</i>	129
<i>Unbundled 2 Wire Analog Loops</i>	132
<i>Missed Installation Appointments for Analog Loops</i>	133
<i>Average Completion Intervals</i>	140
<i>Installation Quality of Analog Loops</i>	141
<i>Timeliness and Quality of Analog Loop Maintenance and Repair</i>	143
<i>Coordinated Conversions - Hot Cuts</i>	146
Checklist Item (v) - Unbundled Local Transport	153
<i>DS1 Dedicated Transport</i>	154
<i>DS3 Dedicated Transport</i>	155
Checklist Item (vi) - Unbundled Local Switching	156
Checklist Item (vii) - 911, E-911, Directory Assistance, and Operator Services	157
Checklist Item (ix) - Access to Telephone Numbers	162
Checklist Item (xi) - Number Portability	163
Checklist Item (xiv) – Resale	166
AN INDEPENDENT VALIDATION OF AMERITECH MICHIGAN PERFORMANCE MEASUREMENT DATA AND PROCESS WAS CONDUCTED BY ERNEST & YOUNG	173
Ernst & Young's Report on Performance Measure Compliance	180
Ernst & Young's Report on Effectiveness of Controls	196
CONCLUSION	203

LIST OF ATTACHMENTS

DESCRIPTION	ATTACHMENT IDENTIFIER
Ameritech Michigan Performance Measurement Results	A
Ameritech Michigan Performance Measurement Results With Geographic Disaggregations	A-1
14 Point Checklist Performance Measurements	B
Performance Results for Checklist Item One - <i>Interconnection</i>	C
Performance Results for Checklist Item Two - <i>Access to Network Elements</i>	D
Performance Results for Checklist Item Three - <i>Poles, Ducts Conduits and Rights of Way</i>	E
Performance Results for Checklist Item Four - <i>Unbundled Local Loops</i>	F
Performance Results for Checklist Item Five - <i>Unbundled Local Transport</i>	G
Performance Results for Checklist Item Six - <i>Unbundled Local Switching</i>	H
Performance Results for Checklist Item Seven - <i>911, E-911, Directory Assistance, and Operator Services</i>	I
Performance Results for Checklist Item Nine - <i>Access to Telephone Numbers</i>	J
Performance Results for Checklist Item Eleven - <i>Number Portability</i>	K
Performance Results for Checklist Item Fourteen - <i>Resale</i>	L
Ernst & Young LLP "Michigan 271 Performance Measurement Examination" Presentation Dated August 21, 2002	M
Ernst & Young LLP "Report of Independent Accountants" Dated October 18, 2002 Regarding Compliance Detailed In Attachment A and Attachment B	N
Ernst & Young LLP "Supplemental Report" Dated October 18, 2002	O
Ernst & Young LLP "Report of Independent Accounts" Dated October 18, 2002 Regarding Controls Over the Process to Calculate and Report Accurate and Complete Performance Measurements	P
Status of Prospective Changes and Other Identified Issues In E & Y's Attachment A Issued October 18, 2002	Q
Status of Interpretations In E & Y's Attachment B Issued October 18, 2002	R

I, James D. Ehr, being of lawful age and duly sworn upon my oath, do hereby depose and state as follows:

1. My name is James D. Ehr. My business address is 2000 W. Ameritech Center Drive, Location 4G60, Hoffman Estates, IL 60196. I am employed by Ameritech Corporation¹ (“Ameritech”) in the position of Director of Performance Measures. In that position, I support Michigan Bell Telephone Company (“Ameritech Michigan”), as well as the four other Ameritech operating companies. I am currently responsible for the development, implementation and ongoing administration of the wholesale performance measurements system used by Ameritech. This system allows Ameritech Michigan, competing local exchange carriers (“CLECs”), state regulators such as the Michigan Public Service Commission (“Michigan Commission” or “MPSC”), the Federal Communications Commission (“FCC”), and the United States Department of Justice (“DOJ”) to monitor and evaluate Ameritech Michigan’s performance in providing products, facilities and services to itself and to Michigan CLECs in a nondiscriminatory manner consistent with its obligations under the Telecommunications Act of 1996 (the “1996 Act”). In addition, I am responsible for providing periodic reports on wholesale performance, and investigating issues raised with respect to Ameritech Michigan’s performance (and the related performance reports) before state and federal regulatory agencies.

¹ Ameritech Corporation is a wholly owned subsidiary of SBC Communications Inc. Ameritech Corporation owns the former Bell operating companies in the states of Michigan, Illinois, Wisconsin, Indiana, and Ohio. Michigan Bell Telephone Company, a Michigan corporation, offers telecommunications services and operates under the names “Ameritech” and “Ameritech Michigan” pursuant to assumed name filings with the state of Michigan.

PROFESSIONAL EXPERIENCE AND EDUCATIONAL BACKGROUND

2. I assumed the duties and responsibilities of my predecessor, Salvatore T. Fioretti, in June 2001. Since then, I have been responsible for the processes and systems used by Ameritech to measure and report on the performance of its operations support systems (“OSS”) and the functions of pre-ordering, ordering, provisioning, maintenance/repair and billing. I have participated as Ameritech's representative in several collaborative workshops on performance measures with state commissions and competing carriers throughout the Ameritech region. I have read and am familiar with the affidavits filed May 15, 2001 and July 30, 2001 in this proceeding by Salvatore T. Fioretti.

3. Prior to assuming my present position with Ameritech, I worked as a Solutions Consultant in the Network Software Solutions (“NSS”) organization within SBC Services Inc. from October 1999 through May 2001. In that position, I was responsible for management of network results reporting programs and projects. This included direct management responsibility for the RRS and AskMe applications. RRS is the primary application for network 271 performance measurements (installation & maintenance) in the Ameritech five-state region, while AskMe is the primary application for those same measurements in the Southwestern Bell Telephone, L. P. (“SWBT”) region. In addition, I was the NSS organization’s lead for planning and strategy processes.

4. Prior to October 1999, I was a member of the Network Systems organization within Ameritech’s Information Services (IS) organization. In that role I was the IS lead for strategy and planning for all Ameritech IS' network OSSs. Additionally, I managed

multiple IS projects and programs, including the design of network decision support and reporting applications. Overall, I have had 14 years experience in information services within the telecommunications industry with Ameritech and other companies, and 18 years overall experience in the analysis, design, development, implementation and management of information systems projects and applications.

5. I earned a Bachelor of Science - Management Information Systems degree from Oakland University, Rochester, Michigan, in 1984 and a Masters of Business Administration degree from the University of Central Florida, Orlando, Florida, in 1994.

PURPOSE AND SCOPE OF AFFIDAVIT

6. My affidavit has two purposes. First, as required by the Michigan Commission's February 9, 2000 order in this case ("February 9, 2000 Order") (Par. 13), and in accordance with the procedural schedule set forth in this case in the September 16, 2002 order ("September 16, 2002 Order") (pg. 3), I am updating the record in this proceeding with three consecutive months of data detailing performance results that reflect the level of service Ameritech Michigan provided to Michigan CLECs using the performance measures required by the Commission's orders in Case No. U-11830. The performance data provided is for June, July and August 2002. Based on these reported performance results, my affidavit demonstrates that Ameritech Michigan provides Michigan CLECs nondiscriminatory access to the pertinent items of the 14-point competitive checklist specified in Section 271(c)(2)(B) of the Act.

7. Second, as noted in Ameritech Michigan's "Notice of Intent to Supplement the Record" filed in this proceeding on July 30, 2002, I discuss the results of an independent audit of Ameritech Michigan's reported performance results performed by the certified public accounting firm of Ernst & Young, LLP ("E&Y").² As described below E&Y was engaged to perform an independent examination of Ameritech Michigan's compliance with the performance measurement "business rules" as ordered by the Michigan Commission in Case No. U-11830. The scope of E&Y's independent examination was to validate the accuracy and completeness of Ameritech Michigan's performance measurement reporting and to review the effectiveness of Ameritech Michigan's controls to comply with those business rules.³
8. I provide a detailed discussion and analysis of the E&Y report, and the issues identified in Attachments A and B of that report, after I discuss the performance results. Where E&Y identified findings – either certain adjustments or changes made to performance measurement implementations, pre-existing implementations that E&Y found issue with, or interpretations Ameritech has made in order to implement the measurement – one of five conditions exists regarding any affect of the finding on the performance results for June through August 2002: (1) no adjustment or change was required (as is the case for many of the interpretations in Attachment B to E&Y's report); (2) the adjustment or change has been addressed, with results for June through August 2002 presented here reflecting that change;

² As noted in SBC's July 30, 2002 Notice of Intent to Supplement and its September 5, 2002 Request for a KPMG Test Report, BearingPoint (formerly KPMG Consulting) is conducting a review of Ameritech Michigan's performance metrics. On September 23, 2002, BearingPoint released a draft report. Consistent with the Michigan Commission's September 16, 2002 order, Ameritech Michigan will respond to BearingPoint's findings on November 15, 2002. This affidavit discusses the E&Y Final Report dated October 18, 2002.

³ E&Y based their analysis on Version 1.8 of the Business Rules. The analysis of three months of actual performance data in this Affidavit is also based on Version 1.8 of the Business Rules.

(3) the adjustment or change has been addressed, with no restatement of June through August results required due to lack of applicability or because the results reported were not materially affected by the adjustment or change; (4) the adjustment or change has been addressed, with restatement of June through August 2002 results (as applicable) pending; or (5) the issue is under review by Ameritech Michigan with no specific actions yet identified as needed to be taken. The discussion of E&Y Report Attachments A and B are included in Attachments Q and R to this affidavit. Only in the fourth and fifth conditions does any issue identified by E&Y potentially affect the June through August 2002 results presented and discussed here. In those situations, the analysis of the performance results includes a discussion of the impact of the adjustments or changes. In addition, for selected issues or performance measures, I discuss the impact of the E&Y audit findings within the analysis sections of this affidavit.

THE MICHIGAN COMMISSION'S ORDERS REGARDING PERFORMANCE MEASUREMENT

9. The performance measurements that I describe below are the result of many years of work and extensive negotiations between Ameritech Michigan and the CLEC community, under the supervision of the Michigan Commission and its Staff. On May 27, 1999 the Michigan Commission issued an Order in Case No. U-11830 (“May 27, 1999 Order”), ordering Ameritech Michigan to report, on a monthly basis, certain performance measurements related to its wholesale processes and systems used to serve CLECs. At the same time, however, the Michigan Commission recognized that “as experience is gained using the measurements provided for in this order, additions, modifications, or deletions may appear

appropriate.”⁴ In its subsequent Order on Rehearing issued September 3, 1999, (“September 3, 1999 Order”) the Michigan Commission elaborated that Ameritech Michigan could seek approval for “alterations in some of the performance measures” at the conclusion of the then-pending proceedings related to the SBC-Ameritech merger, or other proceedings related to performance measurements.⁵

10. Ameritech Michigan sought modification of the Michigan Commission’s May 27, 1999 and September 3, 1999 Orders to conform the previously-approved measures to the 122 performance measurements developed through an extensive collaborative process held among the Texas Public Utility Commission (“Texas PUC”), Ameritech Michigan’s affiliate Southwestern Bell Telephone Company (“SWBT”), and numerous CLECs, including several that have participated in this case, such as AT&T and WorldCom. In its *Texas 271 Order*,⁶ the FCC attached significant weight to the results of this collaborative process, noting in particular that “the Texas Commission ensured that its section 271 review process was open to participation by all interested parties.”⁷ Elsewhere in its order, the FCC stated it “strongly encourage[s] this type of process, because it allows the technical details that determine how the metrics are defined and measured to be worked out with the participation of all concerned parties.”⁸

⁴ May 27, 1999 Order, MPSC Case No. U-11830, at 38.

⁵ Sept. 3, 1999, MPSC Case No. U-11830, at 5.

⁶ *Application by SBC Communications Inc., et al. Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region InterLATA Services in Texas*, Memorandum Opinion and Order, 15 FCC Rcd 18354 (2000) (“*Texas 271 Order*”)

⁷ *Texas 271 Order* ¶3.

⁸ *Texas 271 Order* ¶ 54.

11. Ameritech Michigan, the Michigan Commission Staff (“Staff”), CLECs, and the Michigan Commission followed this collaborative model as required by the February 9, 2000 Order⁹. By stipulation among the parties, the Michigan Commission referred Ameritech Michigan’s request to a collaborative workshop overseen by the Staff. After a series of meetings and discussions spanning almost four months, the collaborative participants, along with the Staff, filed a Joint Motion to amend the Michigan May 27, 1999 and September 3, 1999 Orders. The Michigan Commission granted the Joint Motion in its order in MPSC Case No. U-11830 on July 17, 2000 (“July 17, 2000 Order”). In so doing, it took the opportunity to “express its appreciation for the efforts of the collaborating parties in working together to develop performance measures that are reasonable and provide information needed to ensure that CLECs are provided with nondiscriminatory service, thereby allowing an opportunity to compete fairly in the basic local exchange market.”¹⁰

12. As envisioned by the July 17, 2000 Order, the parties continued in an additional phase of the collaborative efforts to address new performance measures, further modifications to existing performance measures, and the reporting for new products or services as applicable. This second-phase collaborative met several times over the next four months, and on November 6, 2000, the collaborating parties filed a Joint Motion to amend the July 17, 2000 Order to reflect further agreed modifications and additions to the performance measurements and standards. These changes were consistent in many ways with those adopted in similar performance measurement reviews held in the spring and summer of

⁹ Feb. 9, 2000 Order, Case No. U-12320 at 10.

¹⁰ July 17, 2000 Order, MPSC Case No. U-11830, at 4. As stated at page 3 of the Master Test Plan (“MTP”), the performance measures outlined in the Michigan Commission orders in Case No. U-11830, as amended in the

2000 before the Texas PUC, whose resulting measurements (i.e., SWBT Version 1.7) were adopted by the state commissions in Texas, Kansas, Missouri and Oklahoma and then relied on the FCC in its *Kansas/ Oklahoma 271 Order*.¹¹ Additional changes were adopted that were unique to the Ameritech states. On January 12, 2001, the parties filed a Joint Supplement to their motion in MPSC Case No. U-11830, reflecting agreement on further modifications. The Michigan Commission granted the Joint Motion, as modified by the Joint Supplement, on February 22, 2001.¹²

13. On March 24, 2001, Ameritech deployed additional OSS interfaces, and Ameritech, Staff and the CLECs, agreed that certain performance measures needed to be modified to reflect the new interfaces. On June 8, 2001, the parties filed another Joint Motion in MPSC Case No. U-11830 requesting that these performance measures be modified to include additional disaggregation levels to reflect the new OSS interfaces and make them consistent with the comparable performance measures developed for use in Texas in the Version 1.7 business rules. On July 11, 2001, the Michigan Commission granted the June 8, 2001 Joint Motion.¹³
14. Ameritech Michigan has continued to engage in collaborative reviews to update performance measurements and standards on an ongoing basis. These reviews begin approximately six months after the conclusion of the preceding review, and are thus known as “six month reviews.” As part of a six-month review, Ameritech Michigan and its

July 27, 2000 order, are the baseline for the KPMG Third-Party OSS test, and any new performance measures or further modifications to existing measures that occur during the course of the test were also to be evaluated.

¹¹ *Joint Application by SBC Communications Inc., et al. for Provisions of In-Region, InterLATA Services in Kansas and Oklahoma*, Memorandum Opinion and Order, 16 FCC Rcd 6237, ¶ 275 & n.841 (2001) (“*Kansas/Oklahoma 271 Order*”)

¹² Feb. 22, 2001 Order, MPSC Case No. U-11830.

¹³ July 11, 2001 Order, MPSC Case No. U-11830.

affiliates met with CLECs and the MPSC Staff several times during the months of June, July and August 2001. The collaborative participants filed a Joint Motion and 'Amendment to Joint Motion on September 18, 2001 and November 9, 2001, respectively, in MPSC Case No. U-11830 to seek approval of updates to the previously approved performance measurements and standards. In many cases these updates were consistent with changes also proposed and agreed to in the SWBT collaborative, while also incorporating additional Ameritech-region specific measurement changes. The updated performance measures and standards (identified as Version 1.8 of the Business Rules) were approved by the Michigan Commission on December 20, 2001.¹⁴ The performance data described herein are calculated in accordance with this approved Version 1.8 of the Business Rules.¹⁵

PERFORMANCE MEASURE INFORMATION IS AVAILABLE FOR CLECS ON AN ONGOING BAMERITECH MICHIGAN'S AFFILIATES

15. Consistent with the *Texas 271 Order*, Ameritech Michigan's performance measurements address "each of the three modes of competitive entry envisioned by the 1996 Act - competitor-owned facilities, unbundled network elements, and resale,"¹⁶ along with several other checklist items. Ameritech Michigan's performance results are processed and published in monthly reports available to the Commission and CLECs operating in the State of Michigan through the Internet web site, CLEC On Line, at <https://clec.sbc.com/clec/>.

¹⁴ Dec. 20, 2001 Order, MPSC Case No. U-11830.

¹⁵ Exceptions to the Version 1.8 Business Rules noted by E&Y's audit are addressed under the applicable measure, and in a separate discussion of the audit that appears at the end of this affidavit.

¹⁶ *Texas 271 Order* ¶ 94.

16. The data reported here for June, July and August 2002 reflects performance reported pursuant to Version 1.8 of Ameritech Michigan's performance measurements, the associated "business rules" for calculating those measurements, and the standards against which wholesale performance is assessed.¹⁷ A copy of these business rules can be obtained from the CLEC On Line web site referenced above.

17. There are currently 150 measurements, which are further divided into over 2,900 wholesale submeasures (such as product/service and geographic area). They cover all five Operations Support Systems functions: Pre-ordering, Ordering, Provisioning, Maintenance/Repair, and Billing. Separate measurements and/or measurement categories within those OSS measures address Access to Unbundled Network Elements (checklist items 2, 4, 5, and 6) and Resale (checklist item 14). Ameritech Michigan's performance measures also address Interconnection Trunks and Collocation (checklist item 1), Poles, Conduits and Rights-of-Way (checklist item 3), Coordinated Conversions (checklist item 4), Directory Assistance, Operator Services, Directory Assistance Database and 911 Database services (checklist item 7), NXX Loading and Testing (checklist item 9), and Local Number Portability ("LNP" - checklist item 11). Additional measures address Miscellaneous Administrative Services and Bona Fide Requests (BFRs).

18. Data for Ameritech Michigan's performance measurements are reported monthly and are disaggregated to facilitate analysis of service in each agreed upon "submeasure." The business rule for each measure specifies the precise "levels of disaggregation" applicable.

¹⁷ SBC Ameritech Michigan's May 15, 2001 initial Checklist Information Filing in MPSC Case No. U-12320 reflected the performance measurements, standards, and business rules in effect at the time (Version 1.6)

19. Ameritech Michigan retains the performance data results provided to every Michigan CLEC and the data required to support auditing and CLEC reconciliation of reported results for three years as required by the Michigan Commission. The monthly reports include data regarding Ameritech Michigan's performance in providing services to its own retail customers (and, where applicable, to its affiliate), to all CLECs (as a group) operating within Michigan, and to each individual Michigan CLEC. Performance reports are readily available via the Internet, but proprietary data are password protected, permitting each CLEC access to only those data depicting Ameritech Michigan's performance levels in providing service to the particular CLEC itself, to all CLECs in the aggregate, and to Ameritech Michigan's own retail customers.

DESCRIPTION OF PERFORMANCE MEASUREMENT ANALYSIS METHODS

20. The analysis presented herein follows the two-part test employed by the FCC in prior orders under section 271. For measures involving analogous wholesale and retail services, "parity" comparisons are made. Parity is determined by comparing Ameritech Michigan's performance in providing a particular service to CLECs against its performance with respect to its own retail operations (or its affiliate, as applicable) using accepted statistical techniques. Where no reasonable retail or affiliate analog exists (e.g., Ameritech Michigan does not provide unbundled access to network elements to itself), Ameritech Michigan's performance in providing such services to CLECs is compared to a predetermined "benchmark" level of service established by agreement in the collaborative processes described above.

12_21_00). As described above, all changes to that version have been approved by the Michigan Commission.

21. Statistical analysis provides a scientific method for analyzing the many thousands of monthly performance results for parity comparisons in Michigan to assess whether they show a disparity between wholesale and retail performance, as opposed to the random variation that is inherent in business processes.¹⁸
22. In the FCC's words, "the use of statistical analysis to take into account random variation in the [performance] metrics is desirable" and "[s]tatistical tests can be used as a tool in determining whether a difference in the measured values of two metrics means that the metrics probably measure two different processes, or instead that the two measurements are likely to have been produced by the same process."¹⁹ The Michigan Commission also stated at page 11 of the April 17, 2001 Order in MPSC Case No. U-11830, "... the statistical test seems to ask the right question -- whether the difference between Ameritech Michigan's performance and the standard is sufficient to conclude that it is due to something more than random chance."²⁰
23. Statistical analysis is used to determine whether observed differences indicate that a disparity has occurred. The first step is to look at each individual performance test, measure the size of the difference between wholesale performance and the applicable standard through the use of a measure called a "z-statistic." That difference is then compared to a "critical value." The critical value is the statistically determined value that,

¹⁸ However, pursuant to the Michigan Commission's order in Case No. U-11830 issued April 17, 2001 at page 11, Ameritech Michigan does not apply any statistical analysis to benchmark measures.

¹⁹ *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the State of New York*, Memorandum Opinion and Order, 15 FCC Rcd 3953, App. B, ¶¶ 2-3 (1999) ("New York 271 Order").

²⁰ April 17, 2001 Order, MPSC Case No. U-11830, at 11.

if the calculated “z-statistic” were to exceed it, is adequate to find, with 95 percent certainty, that there is truly some underlying disparity in the reported results. For parity tests with 30 or more transactions, the test statistic is determined from a Z-test. On the other hand, parity tests with less than 30 transactions are computed by a different type of statistical test, commonly called a permutation test, which has been designed specifically for small sample sizes.

24. While statistical analysis and performance benchmarks provide useful tools to analyze performance data, they are not infallible, and the FCC has emphasized that a shortfall in any particular measurement does not, in and of itself, dictate a finding of non-compliance. Thus, in considering the results below, it is important to keep in mind that the FCC’s own determination of compliance with the requirements of section 271 “necessarily is a contextual decision based on the totality of the circumstances and information before us.”²¹
25. Consequently, where statistically significant differences exist in a given measurement, the FCC will “examine the evidence further to make a determination whether the statutory nondiscrimination requirements are met.”²² The examination includes explanations provided (by both the applicant and other commenters) about whether measured performance differences present an accurate depiction of the quality of the applicant’s

²¹ *New York 271 Order*, ¶ 60; *Texas 271 Order*, ¶ 58; *Kansas/Oklahoma 271 Order*, ¶ 31; *Joint Application by SBC Communications Inc. et al. Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Arkansas and Missouri*, Memorandum Opinion and Order, 16 FCC Rcd 20719, App. D at ¶ 6 (2001) (“*Arkansas/Missouri 271 Order*”).

²² *New York 271 Order*, ¶ 59; *Kansas/Oklahoma 271 Order*, ¶ 31; *Arkansas/Missouri 271 Order*, Appendix D at ¶ 8.

performance.²³ The FCC also may examine performance data on a more disaggregated level, take note of how long a variation in performance has existed and what the trend has been in recent months, look for steady improvements in performance over time and, where appropriate, conclude that while statistically significant differences in measured performance exist, “such differences have little or no competitive significance in the marketplace.”²⁴ As I demonstrate below, Ameritech Michigan has satisfied the vast majority of its performance standards. In those cases where a given performance standard has not been met, I provide further discussion of the totality of the facts and demonstrate that the differences are not competitively significant.

ACTUAL PERFORMANCE MEASUREMENT DATA DEMONSTRATE THAT AMERITECH MICHIGAN IS FULLY COMPLYING WITH THE REQUIREMENTS OF SECTION 271

26. As discussed above, the Michigan Commission’s February 9, 2000 and September 16, 2002 Orders in Case No. U-12320 directed Ameritech Michigan to support its filing with three months of performance data. Accordingly, my affidavit focuses on the most recent three months for which data are available (June, July, and August of 2002). These performance measurement results demonstrate that Ameritech Michigan’s overall performance in Michigan complies with the requirements of Section 271.

²³ *New York 271 Order*, ¶ 59; *Kansas/Oklahoma 271 Order*, ¶ 31; *Arkansas/Missouri 271 Order*, Appendix D at ¶ 8.

²⁴ *New York 271 Order*, ¶ 59. Similarly, the FCC explained that the Commission would “examine whether any differences in the measured performance are large enough to be deemed discriminatory under the statute.” *Texas 271 Order* at ¶ 58. The FCC also states that it “may find that the performance differences are slight, or occur in isolated months, and thus suggest only an insignificant competitive impact.” *Kansas/Oklahoma 271 Order*, ¶ 32. “The Commission may find that statistically significant differences exist, but conclude that such differences have little or noncompetitive significance in the marketplace.” *Arkansas/Missouri 271 Order*, Appendix D at ¶ 8.

27. In each of the months June, July and August 2002, there were nearly 1,100 separate submeasures at the state aggregate level for which data was collected and results were calculated. (The actual number of product and service submeasures for which numeric results are reported each month is determined by the business and marketing activities of the CLECs, who choose which product and service offerings to obtain. Ameritech Michigan must collect data and attempt to generate results for all submeasures.) Ameritech Michigan performance measurement results indicate that, overall, (a) Ameritech Michigan is providing parity service to CLECs where analogous retail services and processes exist, and (b) where there is no analogous retail service, efficient CLECs are provided a meaningful opportunity to compete in the Michigan local exchange market.
28. Ameritech Michigan's performance measurement results at the state aggregate level for the three-month period June 2002 through August 2002 are presented in Attachment A.²⁵ These results provide the statistical determination as to whether or not the results in each measurement category demonstrate parity performance. Alternately, they provide the actual performance reported for benchmark measures compared to the defined benchmark standard of comparison. These performance results are broken down by each checklist item in Attachments C-L.
29. Ameritech Michigan has maintained high performance levels over the past three months. As is apparent from the volume data in Attachment A, the bulk of CLEC activity in

²⁵ This affidavit analyzes performance results on a statewide basis consistent with the approach required by the FCC. Ameritech Michigan also reports performance results on a geographic disaggregated basis as required by the Michigan Commission's business rules. The geographic results for June through August are attached hereto as Attachment A-1. When reported at the geographic level of disaggregation, for the same submeasures, Ameritech Michigan's performance results improve.

Ameritech Michigan relates to use of the Unbundled Network Element-Platform (“UNE-P”, or Unbundled Loop and Port), along with the use of unbundled loops. The results for both of these offerings are grouped under Checklist Item 4, and as I describe further below, Ameritech Michigan met or exceeded approximately 93.5 percent of its performance standards related to provisioning and maintenance in that area. Overall, Ameritech Michigan met or exceeded over 94 percent of its standards for provisioning activities, and over 95 percent of its standards for maintenance: the two functions that are most visible to the consumer. Ameritech Michigan’s performance was particularly strong in meeting due dates for installation or repairs. Further, Ameritech Michigan met or exceeded performance standards with respect to over 93 percent of pre-ordering activities, in which CLEC service representatives obtain information about an end user, typically while the end user is on the phone. And Ameritech Michigan issued status notices such as order confirmations and order completion notices on a timely basis, both overall and with respect to high-volume products and services like the UNE-P.²⁶

30. Ameritech Michigan’s performance results are strong for each of the major categories of services provided to Michigan CLECs, as depicted in Table 1 below.

²⁶ The performance in each service category is based on the percentage of all measurements in that category having sample sizes of at least ten data points for which SBC Ameritech Michigan’s performance results meet or exceed the statistical criteria that define parity levels.

<p style="text-align: center;">Table 1 Summary of Ameritech Michigan Performance Results June 2002 – August 2002</p>	
Measurement Category	Percent Measures Met “2-out-of-3”
Pre-Ordering/Ordering	82.9 %
Provisioning	94.3 %
Maintenance/Repair	95.4 %
Billing	75.0%
Call Center, Administrative, OS/DA, DA Database, 911	84.4 %

31. The FCC has never required perfection, and to my knowledge no BOC has ever satisfied every single one of its performance standards in any month. But overall, Ameritech Michigan’s performance met or surpassed parity or benchmark standards for 88.5 percent, or 363 of the 410 performance measures having ten or more wholesale transactions during at least two of the last three months (June 2002 to August 2002) as provided in Attachment A.²⁷ When assessed at the geographic, or market area, level of disaggregation, Ameritech Michigan’s performance for June through August 2002 is at 92.7 percent measures met (for measures having ten or more wholesale transactions during the period – See Attachment A-1). While there were some “misses”, I demonstrate below that these typically were not significant or chronic deviations from the applicable standard, and many of these misses occurred in low-volume categories. Accordingly, the totality of the facts and circumstances demonstrate that Ameritech Michigan is in compliance with the checklist.

²⁷ Ameritech achieved or exceeded the associated standard for 86.4%, 87.0%, and 86.9% of those performance measures having at least ten data points in June, July, and August, respectively.

AMERITECH MICHIGAN’S PERFORMANCE DATA DEMONSTRATE COMPLIANCE WITH THE PERTINENT SECTION 271 COMPETITIVE CHECKLIST ITEMS.

32. The following discussion focuses on Ameritech Michigan commercial performance data to demonstrate Ameritech Michigan’s compliance with particular checklist items. Attachment B lists the measurements which track Ameritech Michigan’s performance in achieving the various checklist item. While a performance measurement does not exist for every checklist item (e.g., Local Dialing Parity), data is available for ten of the fourteen checklist items. The commercial data for these measurements appear in Attachments C – L.

Checklist Item (i) - Interconnection

33. Ameritech Michigan’s performance measurement plan includes ten specific measurements that address the timeliness and quality of Ameritech Michigan’s installation and repair activities involving interconnection trunks. These measurements cover various aspects of Ameritech Michigan’s provision of interconnection trunks. In addition, four performance measurements address Ameritech Michigan’s provision of nondiscriminatory access to collocation arrangements in Ameritech Michigan’s central offices. Results for the interconnection trunk performance and collocation measurements provide ample information to conclude that Ameritech Michigan complies with checklist item (i) – interconnection. These results are summarized in Attachment C.

Interconnection Trunks

34. Ameritech Michigan’s performance data demonstrate that the operating quality of existing interconnection trunks (measured in terms of the percentage of calls blocked) has been significantly better than the established performance standards. The overwhelming

majority of calls from and to Michigan CLEC end-users travel on dedicated interconnection trunks connecting Ameritech Michigan tandem switches to CLECs' end offices. The results for PM 70-02 (Percent Trunk Blockage – Ameritech Tandem to CLEC End Office) demonstrate that the percentage of such calls that were blocked was 0.01 percent – well below the 1% benchmark – in each of the past three months.²⁸ In addition, in each of the last three months, Ameritech Michigan met the 1% benchmark for trunk blockage (PM 71-01 (Percent of Trunk Blockage (Trunk Groups) – AIT Tandem to CLEC End Office)).

35. The data for installation of new interconnection trunks – once analyzed in the proper context – also show good performance. On the surface, the results for PM 73-04 (Percentage Missed Due Dates - Interconnection Trunks-Non-Projects), PM 73-05 (Percentage Missed Due Dates - Interconnection Trunks- Projects), PM 75-04 (Percentage Ameritech Caused Missed Due Dates > 30 Days - Interconnection Trunks)²⁹ and PM 78-04 (Average Interconnection Trunk Installation Interval – Interconnection Trunks)³⁰ suggest that Ameritech Michigan did not meet the benchmark for missed due dates during the last three month period.³¹ In fact, however, the apparent “misses” do not indicate untimely installation.

²⁸ Please note that currently no CLECs have interconnection trucks between their end offices and Ameritech Michigan's end office. As such, there is no data to report for PM 70-01 (Percent Trunk Blockage – Ameritech Tandem to CLEC End Office) in Michigan.

²⁹ Ameritech Michigan also missed PM 74-04 (Average Delay Days For Missed Due Dates - Interconnection Trunks-Interconnection Trunks) during June and July 2002. This performance miss is duplicative of the same performance miss indicated in PM 75-04 (Percentage Ameritech Caused Missed Due Dates > 30 Days - Interconnection Trunks).

³⁰ Finding #18 in Attachment A, Section IV to the E&Y Report identifies an issue where projects were excluded from the PMs 74, 75 and 78 beginning with May 2002 results. These results will be restated on November 5th, with increased volumes reflected.

³¹ Although the title for PM #73 is currently listed as “Percentage Missed Due Dates - Interconnection Trunks” in the Ameritech Michigan Business Rules, the actual calculation for this measure is “Percentage of trunk order due

36. These apparent performance misses are largely the result of negotiations of revised due dates with the Michigan CLECs, after completion and delivery of the interconnection facility. Currently, a supplementary order is not required for a CLEC to change the due date on interconnection trunks. Thus, when a CLEC requests a later due date (which occurs with some frequency due to the need to coordinate translations changes in Ameritech Michigan's and the CLEC's switches), the electronic systems used for performance measurement still reflect the original due date. Installation after the original due date would still be counted as a "miss" even though Ameritech Michigan met the revised due date requested by the CLEC. As a result, most of the apparent "misses" (and the "delay days" for those misses) are really timely installation that met the CLEC's request for a different, later completion of the work. Ameritech Michigan has established a procedure to identify and reflect revised due dates, so as to better capture current and future performance.
37. Finally, the data for PM 76-04 (Average Trunk Restoration Interval – Interconnection Trunks) clearly demonstrate that Ameritech Michigan provided trunk restoration for Michigan CLECs in a fashion that exceed parity requirements for each of the last three months. Trouble tickets for Michigan CLECs' interconnection trunks during June 2002 through August 2002 were repaired, on average, in just 1.29 hours, roughly 65% of the average restoration interval (1.98 hours) for Ameritech Michigan's own trunks.

Collocation

38. Ameritech Michigan's speed in responding to CLECs' collocation requests is demonstrated by the performance results for PM 109 (Percent of Requests Processed Within Established

dates for interconnection trunks met within the customer requested due date." As such, a higher percentage

Timelines).³² Ameritech Michigan processed every one of the CLECs' initial collocation requests during June, July and August 2002 within the designated interval.³³ In addition, Ameritech Michigan met established time lines for every one of the Ameritech Michigan CLECs' collocation additions during each of the last three months for PM 109-03 (Percent of Collocation Requests Processed Within Established Timelines – Additions).

39. Furthermore, the results for PM 107 (Percent Missed Collocation Due Dates) show that Ameritech Michigan completed 52 CLEC collocation projects during June, July and August 2002 without missing a single due date. As a consequence of the excellent performance for PM 107, there were no “delay days” to report during those three months for PM 108 (Average Delay Days for Ameritech Missed Due Dates).
40. Overall performance for the trunking and collocation measurements conclusively demonstrates that Michigan CLECs consistently are provided both nondiscriminatory interconnection services and a meaningful opportunity to compete.

indicates better performance. This typographical oversight will be corrected in the next six-month review.

³² While the interval stated in Version 1.8 of the Business Rules defines a standard of “90% within 10 business days”, Ameritech Michigan assesses performance against a 10 calendar day standard, a stricter standard, to allow for consistent assessment of performance between PM 109 results and results reported in accordance with FCC requirements.

³³ Given the CLECs' use of the UNE-Platform and the extent of collocation arrangements that are already in place, order volume for new collocation arrangements was low. There were less than ten collocation requests during each month within the study period (June 2002 – August 2002) reflected in the results for both PM 109-01 (Percent of Requests Processed Within Established Timelines – Physical), and PM 109-04 (Percent of Requests Processed Within Established Timelines – Cageless).

Checklist Item (ii) – Access to Network Elements – OSS

41. “Operations support systems” are the systems, databases, and personnel that an incumbent LEC uses to serve its customers.³⁴ In prior orders under section 271, five OSS functions have typically been identified: pre-ordering, ordering, provisioning, repair and maintenance, and billing. The previously filed affidavits in this case of Mr. Cottrell describe the “interfaces” that Ameritech Michigan offers to requesting carriers so they can access its OSS; the previously filed affidavits in this case of Ms. Kagan addresses billing functions; and the previously filed affidavits in this case of Messrs. Brown and Foster describe manual resources used in processing CLEC requests. I address performance measurements that relate to pre-ordering, ordering, provisioning, maintenance and billing functions in this section. I address the specific performance data for provisioning and maintenance for each checklist item under the various checklist items. These performance results show that Michigan CLECs are provided nondiscriminatory access to Ameritech Michigan’s OSS.

Pre-Ordering

42. Pre-ordering refers to the activities in which a carrier gathers information about a customer or the facilities available to serve that customer, prior to placing a service order for that customer. I discuss pre-ordering measurements that relate specifically to xDSL-capable loops (namely, those measurements that relate to “loop qualification”) under Checklist Item 4 below. I address the remaining pre-order measurements here.

³⁴ *Texas 271 Order*, ¶ 93.

43. PM 2 (Percent Responses Received within “X” seconds-OSS Interfaces) measures the percentage of pre-order responses received within specified time intervals, typically expressed in seconds. There are separate reporting categories for the available electronic interfaces (such as EDI/CORBA and Web Verigate). These are further divided by type of pre-order inquiry (such as a request to validate a customer’s address or a request for a customer service record). Each of these sub-categories has specific benchmark intervals.
44. As the data for June-August 2002 show, Ameritech Michigan consistently responds to pre-order inquiries of all types in a timely fashion. Ameritech Michigan met or exceeded the established benchmark in at least two out of the last three months for 36 of the 38 categories with sufficient reported volume to permit analysis.
45. The only two exceptions were for the two submeasures associated with PM 2-15 (Percent Responses Received Within “X” Seconds-Request for Customer Service Record-EDI LSOG 4/CORBA) where Ameritech Michigan failed to meet the benchmark during June and July 2002. These misses were due to problems associated with the SBC Plan of Record release in April 2002, which converted Customer Service Record transactions to the new OBF Adapter LSOG5 architecture. This new architecture required some performance fine-tuning to address the response timeliness reflected in the results for June and July 2002. However, the effect was not material; in June, Ameritech Michigan still responded to 94.40 percent of CSR inquiries within 13 seconds, and in July, Ameritech Michigan achieved a similar result of 94.43 percent within 13 seconds, in both months just short of the 95 percent benchmark. Further, the performance fine-tuning of the CSR response architecture

has been completed, as seen by Ameritech Michigan achieving the benchmark in August 2002.

Ordering

46. I address the performance of Ameritech Michigan's ordering process by assessing the timeliness of order status notices provided to CLECs (Firm Order Confirmations or "FOCs," Rejection Notices, Completion Notices, and Line Loss Notices). I also discuss the results for Flow-through, Provisioning Accuracy, and OSS Interface Availability.

Firm Order Confirmations

47. Ameritech Michigan's order interface and service representatives check CLEC orders for format and content. Once a properly formatted order passes these edit checks, Ameritech Michigan provides the requesting carrier with a notice confirming the receipt of a firm order. This notice is called a "firm order confirmation" or "FOC." The speed of FOC issuance is measured against agreed benchmarks, which are tailored to reflect the method by which the order was submitted and processed (manually or electronically), along with the type, size, and complexity of the order.
48. PM 5 (Percent Firm Order Confirmations (FOCs) Returned Within "X" Hours) measures the timeliness with which FOCs are returned for LSRs submitted by CLECs. Ameritech Michigan consistently returns FOCs on a timely basis. For example, since June 2002, 98.5% of FOCs have been returned within the associated benchmark for simple residence

and business lines.³⁵ The corresponding rates are 98.0% of FOCs for UNE Loops,³⁶ and, 99.3% of FOCs for DSL line shared loops.³⁷ In fact, the overall FOC-return-rate has been 98.3%, which shows that Michigan CLECs are timely receiving the overwhelming majority of their FOCs.

49. Ameritech Michigan did not meet the associated benchmark for two FOC measurement categories, PMs 5-12 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Electronic Submitted Request - CIA Centrex (1-200 Lines)) and 5-16 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Electronic Submitted Request - UNE-P Complex Business (1-200 Lines)), during two out of the last three months, largely due to the small number of CLEC orders for these products. The smaller the number of orders, the more difficult it is to meet a 95% benchmark. Ameritech Michigan CLECs requested an average of only 22 CIA Centrex FOCs and 29 UNE-P Complex business FOCs over the last twelve months. Ameritech Michigan would have had to return all but one of the FOCs sent for CIA Centrex orders from the Ameritech Michigan CLECs within twenty-four hours in order to meet the benchmark of 95% within 24 hours for PM 5-12.

³⁵ This rate was calculated by combining the results of PMs 5-01 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Simple Residence and Business - Electronic Submitted Request - Manually Processed), 5-02 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Simple Residence and Business - Electronic Submitted Request - Electronically Processed), and, 5-31 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Simple Residence and Business - Manually Submitted Request).

³⁶ The UNE loop rate was calculated by combining the results of PMs 5-05 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - UNE Loop (1-49 Loops) - Electronic Submitted Request - Manually Processed), 5-06 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - UNE Loop (1-49 Loops) - Electronic Submitted Request - Electronically Processed), and, 5-34 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - UNE Loop (1-49 Loops) - Manually Submitted Request).

³⁷ This rate was calculated by adding the results of PMs 5-20 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Line Sharing (1 - 49 Loops) - Electronic Submitted Request - Manually Processed), 5-21 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Line Sharing (1 - 49 Loops) - Electronic Submitted Request - Electronically Processed), and, 5-44 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours – Line Sharing Loop (1-49 Loops) - Manually Submitted Request).

Likewise for PM 5-16, only one UNE-P Complex Business FOC could be missed and still meet this benchmark. In short, near-perfect performance was required to meet these two measures during the last three months. Given the small volumes, both in number and in comparison to other order types, the achieved performance (which in all cases was better than 75 percent within 24 hours) is sufficient to demonstrate compliance.³⁸

50. Ameritech Michigan missed PM 5-22 (Percent Firm Order Confirmations (FOCs) Returned Within “X” Hours - Electronic Submitted Request Simple Res and Bus LNP Only (1-19 Lines) - Manually Processed) during two out of the last three months, but the degree of the miss was not significant. Ameritech Michigan satisfied the applicable benchmark for this measure in June 2002, issuing over 97 percent of FOCs within the benchmark interval of 5 hours. The rate for July 2002 was 92.9 percent, while the rate for August 2002 was 94.9 percent – just barely short of the 95 percent benchmark. Order volumes in this category were only 550 in July, and only 432 in August. Again, the overall percent of FOCs returned for all products (i.e., PM 5-01 through PM 5-54) is excellent and has averaged 98.3% during the last three months, demonstrating the effectiveness of the overall ordering process in this area.

³⁸ In some cases, Ameritech Michigan issues a “Form A” after the FOC to notify the CLEC of a potential “facilities modification” issue that might require additional time for provisioning. The number of orders that received Form A, is small: approximately 500 orders per month. Ameritech Michigan met the established benchmarks for issuing Form A for 3 of the 4 categories with reported data (PM CLEC WI 6-04, 6-05, and 6-06). Ameritech Michigan missed the benchmark in one category, PM CLEC WI 6-02 (FMOD Process: Percent Form A Received Within the Interval Ordered by the Commission - DSL Loops without Line Sharing), but the volume of orders in that category was only 13 in June 2002 and 30 in August 2002. Likewise, the miss in PM CLEC WI 7 (FMOD Process: Percent Forms B, C, D, and E Received Within 72 Hours of Form A - Form B - 8.0 dB Loop without Test Access) was insignificant given the low volume of orders involved. In order to make the 95% benchmark for either of these measures, Ameritech Michigan would have had to achieve perfect or near-perfect (only one miss) results.

Rejection Notices

51. CLEC orders that are improperly formatted, or that do not contain necessary data, are returned to the requesting carrier with a rejection notice so the requesting carrier can correct and re-submit its order. Ameritech Michigan's speed in returning these notices has been good, although it has been slightly below the applicable benchmarks in some cases.³⁹
52. The majority of order rejections for June-August 2002 were the result of mechanized edit checks. In those cases, Ameritech Michigan issued rejection notices, on average, in less than a minute: within 0.02 hours in June, 0.03 hours in July, and 0.03 hours in August (PM 11-01). Further, Ameritech Michigan issued such notices within one hour of receiving the rejection in its own MOR system (PM 10) over 99.9 percent of the time in June, July and August of 2002 (well above the 97 percent benchmark). Notices were issued within one hour of receiving the underlying order from the CLEC (PM 10.1) for 96.99% of rejections in August, 93.45% of rejections in July, and 95.59% of rejections in June (just below the 97 percent benchmark).
53. Where CLEC orders were rejected manually (as the result of review by a service representative), the average interval for providing a rejection notice (PMs 11.1 and 11.2) was within the established five-hour benchmark for at least two of months June, July and

³⁹ E&Y's Report identifies several issues with the reject measures in Attachment A, Section III (Item 4) and Section IV (Items 3 and 20). Item 4 in Section III identifies an issue regarding a limited number of auto/manual rejects for LSOG5 not included in PM 10. This issue was addressed with August results, and performance was consistent with previous months. Item 3 in Section IV impacted reject PMs 10, 10.1, 10.2, 10.3, and 11, but was limited to a small number (less than 1%) of the transactions processed through LSOG5 and LASR. Item 20 applied to reject PMs 10, 10.1, 10.2, 10.3, 11, 11.1 and 11.2, but only in the situation where the Loop portion of an LNP with Loop LSR was rejected and subsequently corrected. This issue is limited to this very specific set of circumstances, reflects an extremely small percent of total volume, and will not have a material impact on results when corrected. In all situations the reject was sent, but not included in the performance measure.

August. Further, Ameritech Michigan issued the related notice for orders received electronically (PM 10.2) within five hours 94.23 percent of the time in August, 94.92 percent of the time in July, and 95.78 percent of the time in June, not far below the 97 percent benchmark.

54. The misses on the latter two measures are not material: Rather, they reflect the fact that the benchmark intervals for these reject measures are significantly less than the targets for returning a FOC, which are themselves aggressive. Current designs of Ameritech Michigan's ordering processes and systems are structured to provide either a FOC or a reject within the FOC standard, as this reflects the CLEC's expectation to receive either confirmation or rejection of their request within the FOC interval. It is expected that the reject benchmarks in the performance measurements will be extended to reflect the FOC benchmarks during the current six-month review collaborative session with the CLECs.

Completion Notices

55. Upon completion of a CLEC order, an electronic completion notice is sent to the requesting carrier via the applicable interface. Ameritech Michigan consistently issues completion notices within 24 hours of completing the related provisioning work.⁴⁰ It met the benchmark standard during the three-month interval analyzed (June- August 2002) for PM 7.1-01 (Percent Mechanized Completions Returned Within One Day Of Work Completion-Resale), PM 7.1-02 (Percent Mechanized Completions Returned Within One Day Of Work

⁴⁰ E&Y's Report identifies several issues with the completion measures in Attachment A, Section IV (Items 3, 4 and 5). Item 3 impacted completion notice PMs 7, 7.1 and 8, but was limited to a small number (less than 1%) of the transactions processed through LSOG5 and LASR. Item 4 applied to PM 7, but is limited to a single DSL Loop product type when ordered through LSOG4. Impact on results is expected to be minimal, as the product

Completion– UNE), and PM 7.1-03 (Percent Mechanized Completions Returned Within One Day Of Work Completion– Combinations).⁴¹ Since June 2002, Ameritech Michigan has timely returned an average of 99.5% of all mechanized completions (i.e., Resale, UNE, Combinations, and LNP).

56. Performance reported for PM 7.1-04 (Percent Mechanized Completions Returned Within One Day Of Work Completion– LNP) show results between 70 and 79% for the months of June, July and August 2002. While this performance fails to meet or exceed the benchmark, Ameritech Michigan’s reported results understate the actual level of service provided to CLECs. This understatement of actual service levels results from a change to the business rules for PM 7.1, approved by the Commission, which Ameritech Michigan has yet to implement. This approved change calls for the exclusion of completion notices delayed due to CLEC causes. Ameritech Michigan has an agreement with CLECs to delay sending the completion notice on LNP orders until the CLEC has confirmed to Ameritech Michigan that they agree the work has been completed. This introduces CLEC-caused delays that prevent Ameritech Michigan from meeting the benchmark. Upon implementation of this exclusion, Ameritech Michigan expects results for PM 7.1-04 to be comparable to the other submeasures in PM 7.1. As such, this reported level of performance does not indicate a barrier to competition.

type is not a high-volume DSL loop. Item 5 affects PMs 7 and 8 and involves only those completion notices initiated by a specific service rep action (a very small percentage of the total).

⁴¹ PM 7 measures the percent of completion notices returned within 1 Hour of completion in Ameritech Michigan’s ordering systems. Although Ameritech Michigan missed the benchmark for one product category - Combinations in July and August 2002, the impact was not significant. The results for PM 7.1 (Percent Mechanized Completions Returned Within One Day Of Work Completion) are more meaningful. The completion of the physical work is the event that matters to the CLEC and the end user, and PM 7.1 shows that CLECs receive notice of that event on a timely basis.

Line Loss Notices

57. A “line loss notice” is sent to the end user’s previous carrier if that line is lost to a competitor and the “losing” carrier provided service using Ameritech Michigan facilities (that is, by using either UNE-Platform or resale). Ameritech Michigan sends this line loss notice after completing work on the order. Ameritech Michigan has made several supplemental filings in this docket describing the actions taken to improve performance in providing line loss notices, and to address previous problems in that regard. Results reported for PM MI 13 indicate that performance improved between June and July, with July results exceeding the benchmark standard in two of the three submeasures for which results were reported. Results for each submeasure for August, however, overstate the actual volume of loss notices that were sent. A system processing failure at the point of actually issuing the EDI transaction to the CLECs prevented a significant portion of the loss notices reflected in the results from actually being sent. All indications are that these notices were subsequently sent in September, and all were identified as misses against the one-hour performance standard in PM MI-13. August results for PM MI-13 will be restated, with the impact being a reduction in volume with no significant change in performance.⁴²

58. Excluding the change in volume for results reported for August, Ameritech Michigan met the “95 percent within 1 hour” benchmarks for issuing line loss notices to the “losing” carrier for the last two months for the two order categories with the largest volume, UNE-P

⁴² As identified in Attachment A to E&Y’s Report, there are other issues that impact the results for PM MI-13. It has been recognized by the PM Collaborative that the current PM MI-13 is of limited value, as it does not reflect the time between the switch of service to the new carrier and the notification sent to the old carrier. New PMs

and LNP. In fact, the rates for UNE-P were over 97 percent, and the rates for LNP were over 99 percent. Overall, line loss notices were issued within 1 hour for over 97.5 percent of orders in August, 97.0 percent in July, and 91.3 percent in June.

Flow-through

59. “Flow through” describes CLEC orders that pass through Ameritech Michigan’s ordering interface, and into Ameritech Michigan’s “back office” or “legacy” provisioning systems, *without* a need for manual intervention. Certain orders, typically complex ones, are not “flow-through eligible”; that is, they are not designed to flow all the way into and through the legacy systems from the electronic interface.
60. Ameritech Michigan provides excellent flow-through performance. During the last three months the overall flow-through rate for CLECs has been outstanding at 95.3% within Michigan.⁴³ This means that Ameritech Michigan’s service representatives were involved in processing less than 5 out of every 100 flow-through eligible orders during the June-August 2002 time period. This flow-through rate is superior to previous 271 applications approved by the FCC.⁴⁴
61. Ameritech Michigan provides especially high performance for the order type that is, far and away, most heavily relied on by Ameritech Michigan CLECs – UNE-P. UNE-P represents

have been proposed and discussed in the current six-month review that, once approved, will provide for more meaningful reporting on line loss notices.

⁴³ As identified in Attachment A to E&Y’s Report, there are several issues that impact the results reported for PMs 13 and 13.1, the flow-through measures. (Section III, Item 6 and Section IV, Items 3, 8 and 20) In total, however, these issues are expected to have very limited impact, primarily to the LNP disaggregation, and will not significantly change the reported performance levels.

almost 91.4% of the total Ameritech Michigan commercial order volume (based on August 2002 volumes). During the June through August time period, Ameritech Michigan has achieved a flow through rate of 96.2% for UNE-P orders.

62. Even though Ameritech Michigan has provided outstanding flow-through, the last three months of data indicate that Ameritech Michigan did not meet each of the submeasures for PM 13 (Order Process Percent Flow Through). However, the FCC has made clear that flow-through data “are not so much an end in themselves, but rather are a tool used to indicate a wide range of possible deficiencies in a BOC’s OSS.” *New York 271 Order* (¶ 162). Thus, a BOC’s “overall ability to return timely order confirmation and rejection notices, accurately process manually handled orders, and scale its systems is more relevant and probative for analyzing [its] ability to provide access to its ordering functions than a simple flow-through analysis.” *Id.* As I described above, Ameritech Michigan returns order status notices on a timely basis, and under the various checklist items I demonstrate that Ameritech Michigan timely and accurately processes carrier orders. While Ameritech Michigan has not met the benchmark performance levels for flow-through, the rates for flow-through have been superior to those found adequate in past applications under section 271, and more importantly the end results – timely order status notices, and timely and reliable provisioning work – show that the overall process is functioning well.

⁴⁴ The FCC noted that “SWBT’s rates are constantly near or above 90% flow-through” in Missouri. *Arkansas/Missouri 271 Order*, n. 98. The Commission also found that the flow-through rate in Oklahoma ranged between 70% and 80% in recent months of the FCC’s evaluation. *Kansas/Oklahoma 271 Order*, n. 403.

Mechanized Provisioning Accuracy

63. I address the timeliness of provisioning products and services covered by each checklist item as part of my discussion of those checklist items elsewhere in this affidavit. I also address performance data related to maintenance requests that are issued within 30 days of installation (commonly called “installation trouble reports”), which assesses the accuracy and quality of provisioning work. Here, I discuss the results for PM 12, “Mechanized Provisioning Accuracy,” which compares the features on each mechanized order, as submitted by the requesting carrier, to the features that update the customer database when Ameritech Michigan completes provisioning.

64. The performance data for this measure show improvement throughout the three-month period, as the rate of accuracy increased from 88.29% in June to 93.41% in July, to 97.53% in August, notwithstanding the high volumes of orders processed (over 200,000 in each month). The results were still below a strict “parity” standard for June and July, but were above parity for August. The high rate of performance here, coupled with low rates for installation trouble reports (the primary measure of provisioning accuracy and reliability, which I discuss under each checklist item), shows that Ameritech Michigan processes orders in a reliable manner.

Notice of Completion of Maintenance

65. I address the speed and reliability of Ameritech Michigan’s maintenance work under the various checklist items elsewhere in this affidavit. PM MI-14 addresses the time it takes to notify the requesting carrier that maintenance work is complete. Ameritech Michigan

satisfied PMs MI-14-03 and MI14-04. However, Ameritech Michigan missed PMs MI-14-01 (Percent Completion Notifications Returned Within “X” Hours of Completion of Maintenance Trouble Ticket – Resale - Manual), MI 14-02 (Percent Completion Notifications Returned Within “X” Hours of Completion of Maintenance Trouble Ticket – Resale - Electronic), and MI 14-05 (Percent Completion Notifications Returned Within “X” Hours of Completion of Maintenance Trouble Ticket – UNE-P - Manual) during each of the last three months. Ameritech Michigan’s analysis of the operational systems and processes that are measured here have not identified any root cause, and E&Y has identified several performance reporting issues (addressed in Attachment Q to this affidavit) that could contribute to reported results that depict poorer performance than actually experienced by the Michigan CLECs.

OSS Interface Availability

66. PM 4 measures the percentage of time that each of the electronic OSS interfaces offered by Ameritech Michigan are actually available to receive and process transactions, as a percentage of scheduled available time. There are separate submeasures for the various interfaces, as well as for some of the key systems used in the various OSS functions. Ameritech Michigan satisfied the 99.5 percent benchmark for at least two of the last three months in 15 of these 18 categories. The three submeasures where the benchmark was not met, (PMs 4-08 (OSS Interface Availability - Web Verigate), 4-16 (OSS Interface Availability - EDI Pre-Order), and 4-17 (OSS Interface Availability - CORBA Pre-Order)) were all adversely affected by the software modifications associated with the SBC Plan of Record release in April 2002. OSS availability for those interfaces was still above 98.8 percent in both months. Nevertheless, additional attention to the monitoring and support of

these architecture components was implemented by Ameritech Michigan that produced a return to the benchmarks across all of the pre-order interfaces during August 2002.

Ameritech Michigan expects performance in future months to continue to meet this very tight availability benchmark.

Billing

67. As described in Ms. Kagan's previously filed affidavits in this case, Ameritech Michigan provides customer usage data to CLECs for use in billing their end users and it issues bills to CLECs for the wholesale products and services they obtain. Ameritech Michigan has provided parity service on both PM 18 (Billing Timeliness) and PM 19-01 (Daily Usage Feed Timeliness) during each of the last three months. In fact, Ameritech Michigan issued daily usage feeds on a timely basis over 99.8 percent of the time in June, and over 99.9 percent of the time in July and August – well above the 95 percent benchmark. Further, Ameritech Michigan issued all wholesale bills on time.

68. Ameritech Michigan also has provided accurate bills as reported in PM 14 (Billing Accuracy). Results for this measure, which requires sampling of wholesale bill elements to determine if the proper rates have been used to calculate bills. Performance has been reported at very high levels, even when assessed against parity comparisons that reflect perfection (0 percent elements not corrected prior to bill release).⁴⁵

⁴⁵ The parity comparisons used for PM 14 have come into question in the E&Y audit. Ameritech Michigan has confirmed that the implementations of the parity comparisons need to be adjusted. However, under the current implementations billing accuracy is assessed against a standard of perfection – no errors have been found in the retail comparison, yet Ameritech Michigan's performance for the CLECs has been in parity.

69. Ameritech Michigan did not meet the parity standard during the past three months for PM 17-01 (Billing Completeness), but this has not affected the state of competition. The achieved rates were still above 84 percent in all three months, while the failure to meet the parity standard results from a conservative implementation of a measure that is in the process of being revised. Changes to the Business Rule for PM 17 addressing this issue have been proposed by Ameritech Michigan, discussed, and preliminarily accepted by CLECs in the current six-month review collaborative. Currently, Ameritech Michigan has implemented PM 17 in a fashion where, if a new order is not included on the first bill that is produced for the CLEC after the order is “available for billing” (even when the accounts bill cycle runs that same day or the next), the order is measured as a “miss”. However, Ameritech Michigan understands the performance measure to allow up to 19 bill cycles or approximately one month for the update in the billing system to be made. The expectation would be for the order to be included on the first bill to the CLEC after that date. In any case, a bill that does not include all charges merely means that some items are charged to the CLEC, and thus paid to Ameritech Michigan, later than they could be.

Checklist Item (iii) – Access to Poles, Ducts, Conduits, and Rights-of-Way

70. Ameritech Michigan’s performance data for two measures demonstrate Ameritech Michigan’s compliance with checklist item (iii) – nondiscriminatory access to poles, ducts, conduits, and rights-of-way. Ameritech Michigan recorded 16 requests for access to poles, conduits, and rights-of-way in Michigan over the past three months. The results for PM 105-01 (Percentage of Requests Processed Within 35 Days) show that none of these requests for access to poles, conduits, and rights-of-way by the Michigan CLECs required more than 35 days to process. These 16 requests were processed on average in 20.94 days.

⁴⁶ In addition, Ameritech Michigan processed all 16 of the field surveys associated with structure requests during the interval during the June-August interval as evidenced by MI 5-02 (Structure Requests Completed Outside of Interval - Field Survey). These performance results demonstrate that Michigan CLECs are being provided nondiscriminatory access to Ameritech Michigan's poles, conduits, and rights-of-way.

Checklist Item (iv) – Unbundled Local Loops

71. The set of performance measurements corresponding to checklist item (iv), as identified in Attachment E, includes measures with product disaggregations of 2 wire analog, 2 wire digital (BRI), DSL, and DS1 loops as well as unbundled network element – platform (UNE-P) arrangements and coordinated conversions. These measures provide comparative provisioning and maintenance data to facilitate the evaluation of Ameritech Michigan's compliance with the section 271 requirements for the provision of nondiscriminatory access to unbundled local loops.⁴⁷
72. Ameritech Michigan has generally delivered solid provisioning and maintenance performance for loops in UNE-P arrangements, and across virtually all categories of standalone loops. Specifically, Ameritech Michigan met the applicable performance standard (either parity or a benchmark) for 132 out of 141 (93.6%) of the unbundled local loop measures (Attachment F) in at least two of the three months (June – August 2002). As

⁴⁶ It has been identified in the E&Y audit that Ameritech Michigan has been calculating the results for PMs 105, 106 and MI-5 using business days instead of calendar days. Given actual results, however, this is not a material issue as the results reported demonstrate compliance with either a business day or a calendar day standard (the average of 20.94 business days translates, at most, to an average of 29 calendar days assuming no holidays during the interval).

I describe further below, Ameritech Michigan's performance results demonstrate that it provides CLECs a meaningful opportunity to compete relative to this checklist item.

UNE Loop and Port Combinations

73. CLECs have made extensive use of UNE-P arrangements, and Ameritech Michigan has performed well in the provision and maintenance of UNE loop and port combinations, or UNE-P, purchased by Michigan CLECs. As seen below, Ameritech Michigan provisioning performance results show that Michigan CLECs using the UNE-P platform typically have shorter installation intervals and fewer missed due dates than do Ameritech Michigan's retail customers.

⁴⁷ Certain data services are provided by Ameritech Michigan's affiliates. Ameritech Advances Data Services ("AADS") provides DSL Transport to Internet Service Providers ("ISPs") or to other CLECs. Ameritech Interactive Media Services ("AIMS") provides DSL Internet access services to retail end users.

Table 2			
UNE Loop and Port Combinations (UNE-P)			
June 2002 – August 2002			
MEAN INSTALLATION INTERVAL (PM 27)			
Monthly Average Interval (Days)			
Element	PM	CLEC	Ameritech Retail
UNE-P – Residence – Field Work	27-05	2.9	3.9
– No Field Work	27-06	0.5	1.0
UNE-P – Business – Field Work	27-07	2.0	3.4
– No Field Work	27-08	0.2	0.7
AMERITECH MICHIGAN-CAUSED MISSED DUE DATES (PM 29)			
Monthly Average Percentage of Orders Not Completed by Due Date			
Element	PM	CLEC	Ameritech Retail
UNE-P – Residence - Field Work	29-05	2.7 %	7.7 %
– No Field Work	29-06	0.0 %	0.6 %
UNE-P – Business – Field Work	29-07	5.7 %	4.5 %
– No Field Work	29-08	0.2 %	0.7 %

Note - The better service level is denoted in **bold**.

74. In addition, Ameritech Michigan’s performance results for PM 30-03 (Percent Ameritech Missed Due Dates Due to Lack of Facilities – UNE-P Residence) and PM 30-04 (Percent Ameritech Missed Due Dates Due to Lack of Facilities – UNE-P Business) show that Ameritech Michigan missed fewer due dates due to lack of facilities for CLECs’ residence and business UNE-P orders than for Ameritech Michigan retail equivalents during each of the last three months.
75. Likewise, the percentage of Michigan CLECs’ UNE-P circuits installed within prescribed intervals generally is better than for Ameritech Michigan’s own end customers. The

results for PM 28-05 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – UNE-P - Residence – Field Work), PM 28-06 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – UNE-P - Residence – No Field Work), PM 28-07 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – UNE-P - Business – Field Work), and PM 28-08 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – UNE-P - Business – No Field Work) show that Ameritech Michigan has achieved parity during the last three month interval. ⁴⁸

76. With respect to the quality and accuracy of provisioning, UNE-P purchased by Michigan CLECs also had fewer installation trouble reports during the first thirty days of service (I-30s) than comparable retail lines. The results for PM 35-05 (Percent Trouble Reports Within 30 Days (I-30) of Installation – UNE-P - Residence – Field Work), PM 35-06 (Percent Trouble Reports Within 30 Days (I-30) of Installation – UNE-P - Residence – No Field Work), PM 35-07 (Percent Trouble Reports Within 30 Days (I-30) of Installation – UNE-P - Business – Field Work), and PM 35-08 (Percent Trouble Reports Within 30 Days (I-30) of Installation – UNE-P - Business – No Field Work) all show that Ameritech Michigan has achieved parity during the June 2002 – August 2002 time period.

⁴⁸ As noted in the E&Y Audit Report Attachment A, Section IV, Item #11, and discussed in Attachment Q to this affidavit, Ameritech Michigan's results for PM 28 Field Work submeasures (28-01, 29-03, 28-05 and 28-07) only include CLEC orders with due dates equal to or greater than the standard interval. The large majority of orders are given due dates less than the standard interval, as evidenced by the Mean Installation Interval results for the corresponding submeasures of PM 27. PM 27 submeasure results indicate that those offered due dates are consistently being met.

77. In addition, performance results for maintenance and repair (summarized in the table below) demonstrate that CLEC residence and business lines served by UNE-P typically have a lower percentage of trouble reports and shorter repair intervals than Ameritech Michigan's retail lines.

Table 3			
UNE Loop and Port Combinations (UNE-P)			
June 2002 – August 2002			
TROUBLE REPORT RATE			
June – August 2002*			
Element	PM	CLEC	Ameritech Retail
UNE-P - Residence	37-03	2.0 %	3.5 %
UNE-P - Business	37-04	1.2 %	1.0 %
MEAN TIME TO RESTORE			
Monthly Average Duration of Trouble Reports (Hours)			
Element	PM	CLEC	Ameritech Retail
UNE-P - Residence – Service Affecting – Dispatch	39-09	19.6	47.9
– No Dispatch	39-11	3.6	9.2
– Out of Service – Dispatch	39-10	17.6	37.9
– No Dispatch	39-12	4.8	7.7
UNE-P - Business – Service Affecting – Dispatch	39-13	20.5	33.0
– No Dispatch	39-15	2.2	7.3
– Out of Service – Dispatch	39-14	17.3	35.6
– No Dispatch	39-16	4.2	6.3

* - Because this is a “stock measurement,” the August 2002 data is reported for PM 37.

Note: The better service level is denoted in **bold**.

78. As shown above, Ameritech Michigan met all but one UNE-P measure during the three months being analyzed for PM 37-04 (Trouble Report Rate – UNE-P Business). Michigan CLECs have experienced a trouble report rate of just 1.2% during the last three months for UNE-P business loops. Although this is still higher than the 1.0% trouble rate for Ameritech Michigan’s retail operations, the small difference (and the low rate of trouble overall) does not materially affect competition and the CLEC’s ability to compete.
79. In sum, Ameritech Michigan’s results across all categories of performance relative to UNE-P are remarkably strong.

Unbundled DSL Loops

80. The FCC has encouraged state commissions to adopt DSL loop performance measurements in five categories: (1) average completion interval, (2) missed installation appointments, (3) installation quality of DSL loops provisioned, (4) timeliness and quality of DSL loop maintenance and repair, and (5) timeliness of access to pre-ordering and ordering information.⁴⁹ The DSL loop performance measurements defined in Version 1.8 of Ameritech Michigan’s business rules are similar to those relied upon by the FCC in both its *Kansas/Oklahoma 271 Order*⁵⁰ and its *Arkansas/Missouri 271 Order*.⁵¹ These performance measures fully address each of the five categories emphasized by the FCC. Furthermore, the overall performance results relative to these measurements demonstrate that Ameritech

⁴⁹ *Texas 271 Order* at ¶ 282; *New York 271 Order*, 15 FCC Rcd at 4123-4124, ¶ 334.

⁵⁰ *Kansas/Oklahoma 271 Order* at ¶¶ 182-197.

⁵¹ *Arkansas/Missouri 271 Order* at ¶¶ 100-101, 104-105, Appendix D at ¶¶ 48-52.

Michigan is providing CLECs nondiscriminatory access to DSL loops in accordance with the requirements of checklist item (iv).⁵²

Missed Installation Appointments

81. Ameritech Michigan has implemented seven performance measurements for which the data demonstrate that, in the case of stand alone loops, the number of missed CLEC appointments is substantially lower than the benchmark and in the case of line shared loops, Ameritech Michigan meets substantially the same number of installation appointments for CLECs as for Ameritech Michigan's affiliate. The relevant measures, and the associated disaggregations, that capture performance for both stand alone and line shared DSL loops, are: PM 58-03/04 (Percent Ameritech-Caused Missed Due Dates – DSL – Line Sharing/No Line Sharing), PM 60-01.1/02.1 (Percent Missed Due Dates Due to Lack of Facilities – DSL – Line Sharing/No Line Sharing), PM 60-01.2/02.2 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 30 Days – DSL – Line Sharing/No Line Sharing), PM 60-01.3/02.3 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 90 Days – DSL – Line Sharing/No Line Sharing), PM 61-03/04 (Average Delay Days Due to Lack of Facilities – DSL – Line Sharing/No Line Sharing), PM 62-01/02 (Average Delay Days for Ameritech Missed Due Dates – DSL - Line Sharing/No Line Sharing), and PM 63-01/02 (Percent Ameritech-Caused Missed Due Dates Greater Than 30 Days – DSL - Line Sharing/No Line Sharing).

⁵² Attachment A of E&Y's Report contains a finding that affects the results reported for June – August 2002. This finding is Issues 16, and is addressed Attachment Q to this affidavit. Issue 16 involves the inaccurate grouping of DSL Lineshare orders requiring conditioning into DSL Lineshare order not requiring conditioning. While all orders were included in the results, the volumes reported in each disaggregation are not correct. Impact of this will be to improve the results for non-conditioned, as longer duration installs required for conditioned DSL loops will be reported under the correct disaggregation.

82. The performance results for PM 58-03 (Percent Ameritech-Caused Missed Due Dates – DSL – Line Sharing) demonstrate that only 3 of Ameritech Michigan CLECs’ orders for DSL with line sharing were affected by missed due dates over the most recent three months. Just two CLEC due dates were missed in June, while only a single CLEC due date was missed in August. As a result, the percentage of CLECs’ orders affected by missed due dates was either comparable to (in June) or lower than (in July and August) the corresponding Ameritech Michigan’s affiliate missed due date percentage in each of the past three months. Therefore, Ameritech Michigan’s performance met the standard for parity in June, July, and August. Over these three months combined, 0.58% of CLECs’ orders for DSL with line sharing were affected by missed due dates, compared to the 0.93% missed due dates for Ameritech Michigan’s affiliate. Furthermore, the performance results for PM 63-01 (Percent Ameritech-Caused Missed Due Dates Greater Than 30 Days – DSL – Line Sharing) demonstrate that none of the three CLEC missed due dates delayed installation by more than 30 days. As a result, Ameritech Michigan’s PM 63-01 performance for CLECs was identical to that provided to Ameritech Michigan’s affiliate in each of the most recent three months. Neither Michigan CLECs nor Ameritech Michigan’s affiliate experienced a missed due date for DSL with line sharing that resulted in an installation delay of more than 30 days. Therefore, Ameritech Michigan’s performance results for PM 63-01 met the standard for parity in each of the past three months.
83. Ameritech Michigan’s performance regarding PM 58-04 (Percent Ameritech-Caused Missed Due Dates – DSL – No Line Sharing) has been even stronger. In each of the past three months, the percentage of CLECs’ orders for stand alone DSL loops affected by

missed due dates has been significantly lower than the 5% benchmark for PM 58-04. The percentage of Michigan CLECs' orders for stand alone DSL loops affected by missed due dates did not exceed 1.34% (substantially lower than the 5% benchmark) in any of the most recent three months. Over this three month period (June – August), missed due dates affected just 0.70% (9) of the 1,291 stand-alone DSL loops installed for Ameritech Michigan CLECs. Finally, the performance results for PM 63-02 (Percent Ameritech-Caused Missed Due Dates Greater Than 30 Days – DSL – No Line Sharing) demonstrate that only one (which occurred in June) of the nine stand alone DSL loop missed due dates delayed installation beyond 30 days. Over the June – August three month period, just 0.07% of Michigan CLECs' stand alone DSL loop orders were affected by missed due dates that delayed installation by more than 30 days.

84. Ameritech Michigan's performance results for DSL (both with line sharing and stand alone) missed due dates generally have been unaffected by a lack of facilities. For example, the data for PM 60-01.1 (Percent Missed Due Dates Due to Lack of Facilities – DSL – Line Sharing) demonstrate that Ameritech Michigan's performance results have met the standard for parity in each of the most recent three consecutive months. Since the single missed due date in June, a lack of facilities condition has not affected Michigan CLECs' orders for DSL with line sharing. As a result, over the past three months, missed due dates caused by a lack of facilities affected 0.19% of CLECs' orders for DSL with line sharing, comparable to the 0.07% missed due dates for Ameritech Michigan's affiliate. The data for PM 60-01.2 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 30 Days – DSL – Line Sharing) and PM 60-01.3 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 90 Days – DSL – Line Sharing) demonstrate that Ameritech

Michigan's performance results were in parity in each of the past three months for both of these measurements. The single missed due date caused by a lack of facilities delayed the installation of the affected CLEC's order for DSL with line sharing by less than 30 days (PM 60-01.2) and, by definition, the installation delay was less than 90 days (PM 60-01.3). Thus, over the past three months, neither Michigan CLECs' nor Ameritech Michigan's affiliate's orders for DSL with line sharing were affected by missed due dates that both were caused by a lack of facilities and delayed installation by more than 30 (and hence 90) days.

85. Ameritech Michigan's performance results in each of the past three months have been significantly below the benchmark standard (5%) for all those measurements regarding the percentage of CLECs' stand alone DSL loop missed due dates that were caused by a lack of facilities. The data for PM 60-02.1 (Percent Missed Due Dates Due to Lack of Facilities – DSL – No Line Sharing) demonstrate that just twelve, or 0.88% (well below the 5% benchmark), of CLECs' stand alone DSL loop orders were affected by missed due dates caused by a lack of facilities over the June – August three month period. Similarly, the performance results for PM 60-02.2 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 30 Days – DSL – No Line Sharing) demonstrate that an installation delay of more than 30 days resulted from only a single missed due date (in June) caused by a lack of facilities. The resulting 0.27% missed due dates in June that delayed the installation of Michigan CLECs' stand alone DSL loop orders as a consequence of a lack of facilities was substantially lower than the 5% benchmark standard. Finally, the data for 60-02.3 (Percent Missed Due Dates Due to Lack of Facilities Greater Than 90 Days – DSL – No Line Sharing) demonstrate that, over the past three months, none of the missed due dates caused

by a lack of facilities delayed the installation of CLECs' stand alone DSL orders by more than 90 days.

86. Further evidence regarding Ameritech Michigan's performance related to the provisioning of UNEs when facilities issues arise is provided by the measurement CLEC WI 11 (FMOD Forms B, C, D Percentage of Due Dates Met). When unanticipated facilities issue arise following the receipt of firm order confirmations (FOCs) establishing due dates for CLECs' UNE orders, the "facilities modification" (FMOD) process is invoked. The FMOD process establishes more realistic, attainable due dates for such orders based on the extent to which facilities (both central office and outside plant) must be unexpectedly added, replaced, repaired, or otherwise modified prior to provisioning the affected UNEs for CLECs. For example, CLEC WI 11-01.2 (FMOD Forms B, C, D Percentage of Due Dates Met – Form B – DSL Loops Without Line Sharing) indicates that the due dates were met for 15 of the total 19 CLECs' orders for stand alone DSL loops provisioned through the FMOD process over the June – August interval. The sample sizes were relatively small in each of the past three months, with 8, 9, and 2 of Michigan CLECs' orders for stand alone DSL loops provisioned through the FMOD process in June, July, and August, respectively. The due dates for 4 of these orders were missed (two in both June and July). Although the 5% benchmark for this measurement was not met, the small number of CLEC orders involving the FMOD process was insufficient to reliably determine whether Ameritech Michigan's performance was satisfactory for CLEC WI 11-01.2.⁵³

⁵³ It should be noted that CLEC orders subject to the FMOD process are excluded from the missed due dates reported for PM 58-04 (Percent Ameritech-Caused Missed Due Dates – DSL – No Line Sharing). See, Ameritech Business Rules, p. 103. Consequently, the number of missed due dates reported for PM 62-02 (Average Delay Days for Ameritech-Caused Missed Due Dates – DSL – No Line Sharing) will differ from those

87. Insufficient CLEC and/or Ameritech Michigan's affiliate sample sizes preclude a reliable statistical determination of whether Ameritech Michigan met the relevant performance standards for the four measurements that report average delay days resulting from missed due dates. For example, the data for PM 62-01 (Average Delay Days for Ameritech-Caused Missed Due Dates – DSL – Line Sharing) indicate that Ameritech Michigan missed only two due dates (one in June and the other in August) for CLECs' DSL with line sharing orders over the most recent three months.⁵⁴ In addition, the available data for PM 62-02 (Average Delay Days for Ameritech-Caused Missed Due Dates – DSL – No Line Sharing) show that there were fewer than 10 missed due dates for CLECs' stand alone DSL loops in each of the past three months. While such small sample sizes preclude a statistically meaningful determination regarding parity, the available data indicate that an overall average delay of 8.75 days resulted from the 16 missed due dates for CLECs' stand alone DSL loop orders since June. However, an average delay of 6.64 days, just 0.14 of a day greater than the 6.5 day benchmark, was caused by the 10 missed due dates in July and August combined.

reported for PM 58-04 since the missed due dates for orders provisioned through the FMOD process are included in the calculation of average delay days resulting from missed due dates. Similarly, CLEC orders provisioned through the FMOD process are excluded from PM 63-02 (Percent Ameritech-Caused Missed Due Dates > 30 Days – DSL – No Line Sharing). Another important distinction between the missed due dates data reported for these various measures is that PM 58-02 and PM 63-02 are reported on a circuit (or loop) basis, while the CLEC WI 11-01.2 (FMOD) data is reported on an order basis. A CLEC order can include multiple circuits (or loops). These same relationships between PM 58, PM 62, PM 63, and CLEC WI 11 exist for all disaggregated UNE categories (e.g., BRI loops, DS1 loops, 8.0 dB loops, and DS1 and DS3 dedicated transport).

⁵⁴ The average installation delay resulting from these two missed due dates was 15 ½ days. However, since the CLEC sample sizes in June and August are limited to a single line sharing DSL missed due date (and no sample exists for July), no (either statistically or practically) meaningful conclusion regarding parity can be determined. Similarly, no statistically meaningful conclusion regarding parity can be obtained for Ameritech Michigan's performance results for PM 61-03 (Average Delay Days for Missed Due Dates Due to a Lack of Facilities – DSL – Line Sharing). The CLEC sample in June consists of a single missed due date resulting from a lack of facilities and CLEC samples do not exist for both July and August. Likewise, Ameritech Michigan's performance can not be meaningfully evaluated for PM 61-04 (Average Delay Days for Missed Due Dates Due to a Lack of Facilities – DSL – No Line Sharing) since the CLEC sample sizes in June and July consisted of only 4 and 8 missed due dates for stand alone DSL loops that resulted from a lack of facilities. In August, no CLEC missed due dates were reported and therefore a sample does not exist.

88. As indicated by the foregoing performance results, Ameritech Michigan has provided CLECs a meaningful opportunity to compete relative to the timeliness of provisioning of stand alone DSL loops. Ameritech Michigan has likewise provided nondiscriminatory access to the timely provisioning of lineshare loops.

Average Installation Intervals

89. Ameritech Michigan's performance results demonstrate that CLECs are provided installation intervals that, in the case of stand alone loops, are generally comparable to the applicable benchmark, and in the case of line shared loops, typically are superior to those experienced by Ameritech Michigan's affiliate's customers. With regard to stand alone DSL loops without conditioning, the performance results for PM 55.1-04 (Average Installation Interval – DSL – No Line Sharing – Without Conditioning) indicate that Ameritech Michigan has fallen just short of the applicable 5 day benchmark standard. For example, the average installation interval of 6.67 days was within about 1 1/4 days of the benchmark for the 663 CLEC orders for stand alone DSL loops without conditioning completed by Ameritech Michigan over the most recent three month period (June – August). During July and August combined, the average installation interval (6.50 days) was within 1 1/4 days of the benchmark for the 473 stand alone DSL loops provisioned

without conditioning for Ameritech Michigan CLECs.⁵⁵ These results are comparable to those the FCC deemed sufficient in its *Kansas/Oklahoma 271 Order*.⁵⁶

90. The performance results for PM 56-12.2 (Percent Installations Completed Within the Customer Requested Due Date (CRDD) – DSL – No Line Sharing – Without Conditioning) provide further evidence that Ameritech Michigan provisions CLECs’ stand alone DSL loops in a nondiscriminatory manner.⁵⁷ Since at least 97.5% of Michigan CLECs’ stand alone DSL loops without conditioning were installed within 5 days in each of the most recent three months, Ameritech Michigan’s performance results surpassed the 95% benchmark standard for PM 56-12.2 in June, July, and August. Over the past three months combined, 99.03% (compared to the 95% benchmark) of Michigan CLECs’ orders for stand alone DSL loops without conditioning were installed within 5 days.
91. For example, the data reported for PM 55.1-03 (Average Installation Interval – DSL – No Line Sharing – Conditioning Required) show that, over the most recent three months, only 6, 3, and 1 CLEC orders for stand alone DSL loops requiring conditioning were completed in June, July, and August respectively.⁵⁸ Similarly, the data reported for PM 55.1-01 (Average Installation Interval – DSL – Line Sharing – Conditioning Required) indicate that,

⁵⁵ Current implementation of PMs 55.1, 56 and 58 for DSL Lineshare/No Lineshare does not accurately disaggregate results between loops requiring conditioning and loops not requiring conditioning. The results reported understate the number of loops requiring conditioning – those loops should be reported in the Conditioning submeasure. They are instead reported in the Without Conditioning submeasure. Impact on reported results will be improved performance for the “Without Conditioning” submeasure as loops requiring conditioning, typically with longer installation intervals, will be reported under the appropriate submeasure.

⁵⁶ *Kansas/Oklahoma 271 Order* ¶ 187 (citing an average interval in Kansas of 6.7 days, and an average interval in Oklahoma of 6.1 days).

⁵⁷ The standard offered installation interval for stand alone DSL loops without conditioning is 5 days. See, Ameritech Business Rules, p. 99.

⁵⁸ The average installation interval was 35.10 days for these 10 stand alone DSL loops requiring conditioning.

during the most recent three months (June – August), the average installation interval was 10.00 days for the 56 DSL loops with line sharing and conditioning ordered by Michigan CLECs. Ameritech Michigan’s performance results for PM 55.1-01 have remained absolutely stable over these three months.⁵⁹ However, Ameritech Michigan provided Ameritech Michigan’s affiliate virtually no DSL loops with line sharing and conditioning, thereby precluding a determination regarding whether the parity performance standard for PM 55.1-01 was met in any of the past three months.⁶⁰

92. Ameritech Michigan’s performance results for PM 55.1-02 (Average Installation Interval – DSL – Line Sharing – Without Conditioning) met the standard for parity in the past three consecutive months, as the average installation intervals for CLECs were nearly a day less than for Ameritech Michigan’s affiliate in each of these months. Over the June – August period, the overall average installation interval was 2.95 days for the 357 CLEC orders for DSL with line sharing without conditioning, nearly a day less than the 3.90 day interval for Ameritech Michigan’s affiliate.

93. Moreover, the data for PM 56-13 (Percent Installations Completed Within the Customer Requested Due Date (CRDD) – DSL – Line Sharing) demonstrate that Ameritech Michigan’s performance results have met the standard for parity in each of the past three months. The percentages of Michigan CLECs’ orders for DSL with line sharing installed within the requested due date were comparable to, or higher than, the corresponding

⁵⁹ The average installation interval was identical – 10.00 days – for the 17, 20, and 19 DSL loops with line sharing and conditioning provisioned for Michigan CLECs in June, July, and August, respectively.

⁶⁰ No data have been reported for the average installation interval for DSL with line sharing and conditioning provisioned for Ameritech Michigan’s affiliate in any of the most recent three months. As a result, sample sizes

percentages for Ameritech Michigan's affiliate in June, July, and August. Over the past three months, 99.59% of Michigan CLECs' orders for DSL with line sharing were completed within the requested due date, compared to 99.41% for Ameritech Michigan's affiliate. Furthermore, all but two of Michigan CLECs' orders for DSL with line sharing were installed within the requested due date. A single order in both June and August required longer intervals to complete than the initially requested due dates. The 99.37% of CLECs' orders completed within the requested due date was virtually identical to the 99.40% for Ameritech Michigan's affiliate's orders in June. In July, all of Michigan CLECs' orders were completed within the requested due date, compared to 99.14% of Ameritech Michigan's affiliate's orders. Finally, the 99.44% completions within CLECs' requested due dates in August was comparable to the 99.65% for Ameritech Michigan's affiliate.

94. Overall, Ameritech Michigan's superior performance with respect to the installation intervals associated with provisioning DSL loops with line sharing without conditioning demonstrates that CLECs are receiving nondiscriminatory access to unbundled DSL loops. In addition, Ameritech Michigan's performance in provisioning CLECs' stand alone DSL loops without conditioning generally has deviated from the benchmark by only about 1 to 1 1/2 days. The FCC previously has determined that average installation intervals comparable to Ameritech Michigan's were acceptable for purposes of evaluating compliance with section 271 requirements.⁶¹ Finally, the percentages of Michigan CLECs'

in each of the past three months for PM 55.1-01 were insufficient to yield reliable statistical test results regarding the determination of whether the parity performance standard was met.

⁶¹ The average installation interval of 6.7 days for Michigan over the past three months is comparable to 6.7 and 6.1 days in Kansas and Oklahoma, respectively. The FCC determined such installation intervals did not deprive CLECs of a meaningful opportunity to compete. *Kansas/Oklahoma 271 Order* ¶ 187.

DSL loops without conditioning installed within the requested due date are higher than the relevant performance standard (parity with Ameritech Michigan's affiliate for DSL with line sharing and the 95% benchmark for stand alone DSL loops).

Installation Quality

95. The FCC expects a showing that the quality of the DSL loops provisioned to CLECs is substantially the same as the quality of the loops used for a Bell Operating Company's (or its affiliate's) own retail advanced service offerings, or that the level of quality is sufficiently high to permit the CLECs a meaningful opportunity to compete.⁶² Ameritech Michigan has implemented PM 59-03/04 (Percent Trouble Reports Within 30 Days of Installation – DSL – Line Sharing/No Line Sharing), PM 65-03/04 (Trouble Report Rate – DSL – Line Sharing/No Line Sharing) and PM 65.1 – 03/04 (Trouble Report Rate Net Installation and Repeat Reports – DSL – Line Sharing/No Line Sharing) to demonstrate that the quality of the DSL stand alone loops installed for CLECs provides them a meaningful opportunity to compete and that the quality of the DSL line shared loops provisioned for CLECs is substantially the same as that provided to Ameritech Michigan's affiliate.
96. Although over 91% of the 1,357 stand alone DSL loops installed for CLECs over the past three months did not generate a single trouble report within 30 days of order completion, Ameritech Michigan was unable to meet the 6% benchmark for PM 59-04 (Percent Trouble Reports Within 30 Days of Installation – DSL – No Line Sharing). However, the data recorded for PM 59-04 reflect that Ameritech Michigan's performance in the most recent two months (July and August) have improved significantly from the results reported for

June.⁶³ In July and August, Ameritech Michigan's performance results exceeded the 6% benchmark by less than 1/6 of a percentage point. Michigan CLECs' trouble report rates within 30 days of installation for stand alone DSL loops ("I-30" or "installation" report rate) exceeded the 6% benchmark by 0.35% (a single installation trouble report) and 0.25% (six I-30 reports) in July and August, respectively. Over these two months combined, 93.1% of the 985 stand alone DSL loop orders completed for Michigan CLECs did not experience a single trouble report within 30 days of installation. Nevertheless, the resulting 6.90% overall I-30 report rate missed the benchmark, but by only 0.90% (or 3 installation trouble reports). Moreover, Ameritech Michigan's performance results also have been similar to the performance approved in the *Kansas/Oklahoma 271 Order*.⁶⁴

97. Furthermore, Ameritech Michigan's performance results for IN 1-01 (Percent Loop Acceptance Testing (LAT) Completed on or Prior to the Completion Date) demonstrate that the 90% benchmark was met in each of the past three months. Loop acceptance testing for Michigan CLECs' stand alone DSL loops was completed for all but 2 orders (a single order in both June and July) over the June – August three month period. Overall, loop acceptance testing was completed on or prior to the due date for 96.49% of Michigan CLECs' stand alone DSL loop orders during this three-month interval.

⁶² *Texas 271 Order* ¶ 300; *New York 271 Order*, 15 FCC Rcd at 4124, ¶ 335.

⁶³ The performance results for PM 59-04 show that that in June Michigan CLECs experienced a trouble report rate of 14.52% within 30 days of the installation of stand alone DSL loops.

⁶⁴ *Kansas/Oklahoma 271 Order* ¶ 191 ("In Kansas, SWBT has generally met the benchmark of 6 percent for trouble reports within 30 days of an installation for the period May through September 2000, and only missed the established standard by 0.7 percent in October 2000.... For the period July through October 2000, troubles [in Oklahoma] were reported on average on 6.6 percent of xDSL-capable loops within 30 days of installation, which was only 0.6% higher than the established benchmark."). If the performance results for June can be considered "an aberration from the installation quality provided to competing carriers," (*Kansas/Oklahoma 271 Order* ¶ 191) then Ameritech Michigan's combined performance results for July and August indicate CLECs experienced a 6.90% installation trouble report rate.

98. In addition, the performance results have met the standard for parity in each of the most recent three months for PM 59-03 (Percent Trouble Reports Within 30 Days of Installation – DSL – Line Sharing). Michigan CLECs' I-30 report rate in July (1.27%) was comparable to that of Ameritech Michigan's affiliate (1.12%), while CLECs' installation report rates in June (0) and August (1.05%) were superior to (i.e., lower than) Ameritech Michigan's affiliate's (1.64% in June and 1.60% in August). Further, Michigan CLECs experienced just two trouble reports within 30 days of the completion of DSL with line sharing orders in July and August and none in June. Therefore, only 4, or 0.78%, of the 516 Michigan CLECs' DSL with line sharing orders completed over the entire three month period ending August 2002 generated a trouble report within 30 days of installation, compared to the 1.46% installation report rate for Ameritech Michigan's affiliate.

99. Ameritech Michigan's performance results for the remaining trouble report measurements provide further evidence to support the conclusion that the quality of stand alone loops provisioned for CLECs is sufficient to provide them with a meaningful opportunity to compete and the quality of the DSL loops with line sharing provided to CLECs is at least comparable, and typically superior, to the quality of Ameritech Michigan's affiliate's line sharing loops. For example, the performance results for PM 65-03 (Trouble Report Rate – DSL – Line Sharing) demonstrate CLECs' DSL with line sharing trouble report rates have been substantially lower than those for Ameritech Michigan's affiliate in each of the past three months. In general, CLECs had about 6,500 (or more) unbundled DSL loops with

line sharing in service during each of the most recent three months.⁶⁵ Since June, Michigan CLECs have encountered only 5 (just one in June and two in both July and August) trouble reports affecting these line sharing loops. During the three-month period ending August 2002, CLECs experienced an overall average monthly trouble report rate of 0.03% for DSL with line sharing, superior to the 0.20% average trouble report rate for Ameritech Michigan's affiliate. Moreover, Ameritech Michigan's performance results during the past three months for PM 65-04 (Trouble Report Rate – DSL – No Line Sharing) demonstrate that CLECs' average monthly trouble report rate for stand alone DSL loops has been 1.37%, substantially below (i.e., less than 1/6th) the 3% benchmark. In addition, Michigan CLECs' stand alone DSL loop trouble report rates surpassed the 3% benchmark, never exceeding 1.52% in any of the most recent three months.

100. Similarly, the Ameritech Michigan performance results recorded for PM 65.1-03 (Trouble Report Rate Net of Installation and Repeat Reports – DSL – Line Sharing) and PM 65.1-04 (Trouble Report Rate Net of Installation and Repeat Reports – DSL – No Line Sharing) demonstrate that the quality of the DSL with line sharing provided to Michigan CLECs has been consistently superior to that experienced by Ameritech Michigan's affiliate. In addition, the quality of the stand-alone DSL loops provisioned for Michigan CLECs is sufficient to provide them with a meaningful opportunity to compete. The performance data for PM 65.1-03 (Trouble Report Rate Net of Installation and Repeat Reports – DSL – Line Sharing) demonstrate that Michigan CLECs' DSL with line sharing net trouble report rate was lower than that for Ameritech Michigan's affiliate in each of the past three months.

⁶⁵ The June data reported for PM 65-03 indicate that 6,490 CLEC DSL loops with line sharing were "in service." In July, Michigan CLECs had 6,648 line shared DSL loops in service and in August, 6,841 loops were in service.

Over this period, Michigan CLECs' DSL loops with line sharing encountered only a single trouble report (in June) that was neither an installation nor a repeat report. During July and August, CLECs' DSL loops with line sharing were unaffected by net trouble reports. As a result, CLECs' average monthly net trouble report rate was 0.01%, compared to Ameritech Michigan's affiliate's 0.09%. Finally, Ameritech Michigan's performance results for PM 65.1-04 (Trouble Report Rate Net of Installation and Repeat Reports – DSL – No Line Sharing) demonstrate that CLECs' stand alone DSL loop net trouble report rate never exceeded 0.86% (which occurred in June), well below the 3% benchmark, in any of the previous three consecutive months. Michigan CLECs' stand alone DSL loop overall average monthly net trouble report rate has been 0.84% over the three months ending August 2002.

101. As demonstrated by the foregoing performance results, the performance data demonstrate that the quality of the stand alone DSL loops CLECs obtain from Ameritech Michigan is sufficient to provide the CLECs with a meaningful opportunity to compete. Furthermore, the quality of the line shared DSL loops provided to Michigan CLECs typically exceeds that of the loops provisioned for Ameritech Michigan's affiliate.

Maintenance and Repair

102. Ameritech Michigan's performance results for PM 66-03 (Percent Missed Repair Commitments – DSL – Line Sharing), PM 67-03/04 (Mean Time to Restore – Dispatch – DSL – Line Sharing/No Line Sharing), PM 67-18/19 (Mean Time to Restore – No Dispatch – DSL – Line Sharing/No Line Sharing) and PM 69-03/04 (Percent Repeat (Trouble)

Michigan CLECs' line sharing DSL loops increased 5.4% from June to August.

Reports – DSL – Line Sharing/No Line Sharing) demonstrate compliance with the section 271 requirements for checklist item (iv) – unbundled local loops. These performance results demonstrate that Ameritech Michigan provides DSL stand alone loop maintenance and repair services for CLECs that are both timely and of sufficient quality to provide them a meaningful opportunity to compete. Further, Ameritech Michigan provides line shared DSL loop maintenance and repair services to CLECs in substantially the same time and manner as it does for Ameritech Michigan’s affiliate. The available data indicate that Ameritech Michigan generally has provided CLECs with repair services at least as timely (measured by the average repair interval for trouble reports) and of at least comparable quality (measured by the incidence of repeat trouble reports subsequent to repairs) to those obtained by Ameritech Michigan’s affiliate.

103. Since Michigan CLECs’ DSL with line sharing trouble reports did not exceed two in any of the previous three months, the sample sizes have been insufficient to support a reliable statistical determination regarding parity for PM 66-03 (Percent Missed Repair Commitments – DSL – Line Sharing). However, the available data indicate that Ameritech Michigan missed repair commitments for 2 of the 5 CLEC DSL with line sharing trouble reports since June. Nevertheless, the 40% missed repair commitments encountered by CLECs over the past three months was within 4.3 percentage points of the 35.7% missed repair appointments experienced by Ameritech Michigan’s affiliate. Similarly, the Michigan CLEC trouble report sample sizes have been insufficient to reliably determine parity in each of the past three months for PM 67-03 (Mean Time to Restore – Dispatch – DSL – Line Sharing), PM 67-18 (Mean Time to Restore – No Dispatch – DSL – Line Sharing) and PM 69-03 (Percent Repeat (Trouble) Reports – DSL – Line Sharing).

However, the available data, although slight, again indicate that the average repair interval for Michigan CLECs' three trouble reports (one in June and two in July) affecting line shared DSL loops and requiring dispatch (PM 67-03) was 16.37 hours and 5.35 hours to clear the two trouble reports in August for which dispatch was unnecessary (PM 67-18). The corresponding Ameritech Michigan's affiliate average repair intervals over the same time periods⁶⁶ were 21.17 hours with dispatch (over four hours greater than for Michigan CLECs) and 8.22 hours without dispatch (about 2 ½ hours greater than for CLECs). Finally, the data available for PM 69-03 (Percent Repeat (Trouble) Reports – DSL – Line Sharing) show that of the five trouble reports affecting Michigan CLECs' DSL loops with line sharing since June, none were repeat reports. However, Ameritech Michigan's affiliate's monthly average repeat trouble report rate for DSL loops with line sharing has been 5.73% since June.

104. Ameritech Michigan's performance results for PM 67-04 (Mean Time to Restore – Dispatch – DSL – No Line Sharing) demonstrate that the 9 hour benchmark was met in two of the past three months. In July, Ameritech Michigan's average repair interval (including dispatch) for those CLEC stand alone DSL loops that generated trouble reports was 9.03 hours. This performance missed the PM 67-04 benchmark by only 0.03 of an hour, or less than 2 minutes. Since June, Michigan CLECs have experienced an overall mean time to restore of 7.82 hours (lower than the 9 hour benchmark) for the 344 stand alone DSL loop trouble reports requiring dispatch. The performance results for PM 67-19 (Mean Time to

⁶⁶ Ameritech Michigan's affiliate's average repair interval for trouble reports requiring dispatch reflects data reported for June and July (the same two months during which Michigan CLECs submitted trouble reports). The Ameritech Michigan's affiliate average repair interval associated with trouble reports for which dispatch is unnecessary reflects only the data reported for August (the only month during the study period beginning with June 2002 during which Michigan CLECs were affected by trouble reports).

Restore – No Dispatch – DSL – No Line Sharing) demonstrate that Ameritech Michigan’s performance was clearly superior to the 9 hour benchmark in each of the past three months. In fact, the average repair interval never exceeded 2.44 hours in any one of the most recent three months for Michigan CLECs’ stand alone loops DSL affected by trouble reports that did not require dispatch. Over the months of June, July, and August combined, Ameritech Michigan’s overall mean time to restore was 2.02 hours for the 51 CLEC stand alone DSL loops that generated trouble reports for which dispatch was unnecessary. Thus, Ameritech Michigan cleared trouble reports that did not require dispatch generated by CLECs’ stand alone DSL loops about 4 ½ times more quickly than the 9 hour benchmark established for PM 67-19.

105. The performance results for PM 69-04 (Percent Repeat Reports – DSL – No Line Sharing) demonstrate that Ameritech Michigan met the 12% benchmark in two of the past three months.⁶⁷ In July, Ameritech Michigan fell just 4 repeat reports (2.96%) short of the benchmark. However, the 6.85% and 7.38% repeat report rates in June and August, respectively, were less than two-thirds of the 12% benchmark. Moreover, Michigan CLECs’ average monthly repeat report rate over the June - August interval was 9.62% (lower than the 12% performance standard) for stand alone DSL loops. In addition, Michigan CLECs’ repeat report rates in both June and August were lower than those encountered by Ameritech Michigan’s affiliate. The 6.85% and 7.38% repeat report rates

⁶⁷ Of the five trouble reports generated by Ameritech Michigan CLECs’ DSL with line sharing loops over the most recent three months, none were repeat reports (PM 69-03). In contrast, Ameritech Michigan’s affiliate’s average monthly repeat report rate over this same period was 5.73%. Although the monthly sample sizes for Michigan CLECs were insufficient to reliably determine whether the statistical standard for parity had been met in each of these three months, the performance results are consistent with the position that the quality of the DSL loops with line sharing that Ameritech Michigan provides CLECs is at least comparable to the quality of the loops provisioned for Ameritech Michigan’s affiliate.

affecting CLECs' stand alone DSL loops in June and August, respectively, were lower than the corresponding 9.80% and 8.20% repeat report rates experienced by Ameritech Michigan's affiliate in the same two months.

Timeliness of Access to Pre-Ordering and Ordering Information

106. The average response time for CLECs' receipt of DSL loop qualification information generally has been comparable to the average response times experienced by Ameritech Michigan's affiliate. For example, Ameritech Michigan's performance results have been in parity in two of the past three months for PM 1.1-01 (Average Response Time for Manual Loop Make-Up Information – DSL).⁶⁸ In the most recent month (August), the average response time was 5.34 days for Michigan CLECs' 144 requests for DSL loop qualification information that had to be manually generated, a difference of only 0.21 of a day from Ameritech Michigan's affiliate's average response time of 5.13 days.⁶⁹
107. Moreover, Ameritech Michigan's performance results also have met the standard for parity in two of the past three months for PM 1.2-02 (Accuracy of Actual Loop Make-Up Information Provided for DSL Orders – Electronically).⁷⁰ Ameritech Michigan did not meet the parity performance standard in August 2002, despite returning 99.90% accurate responses to CLECs' requests for loop qualification information that were processed electronically, compared to a 99.99% accuracy rate for Ameritech Michigan's affiliate. Of

⁶⁸ Ameritech Michigan did not meet the parity performance standard for PM 1.1-01 in June 2002.

⁶⁹ Ameritech Michigan's affiliate typically accepts loops in "as is" condition, seldom requesting loop qualification information prior to initiating DSL service. As a result, the monthly Ameritech Michigan's affiliate sample sizes tend to be relatively small compared to the monthly CLEC sample sizes.

⁷⁰ CLEC monthly samples have been nonexistent in each of the past three months for PM 1.2-01 (Accuracy of Actual Loop Make-Up Information Provided for DSL Orders – Provided Manually). Therefore, no evidence exists regarding Ameritech Michigan's performance for PM 1.2-01.

the 1,004 responses to Michigan CLECs' requests for loop qualification information that could be electronically generated, just a single inaccurate response was returned. Over the past three months combined, this was the sole inaccuracy among the 1,820 electronic DSL loop qualification responses returned to Michigan CLECs. Such a small discrepancy, however, is unlikely to have any significant affect upon the competitive telecommunications market in Michigan.⁷¹ Ameritech Michigan's affiliate typically accepts loops intended to provide DSL service in "as is" condition and seldom requests loop qualification information prior to initiating retail DSL service.⁷² If only a few, or even no, requests for loop qualification information are received from Ameritech Michigan's affiliate, the average response times might be expected to be relatively quick and the accuracy of the responses relatively high. The ability to meet the parity standards for both PM 1.1-01 and PM 1.2-02 in two of the past three months, underscores the strength of Ameritech Michigan's performance in providing CLECs timely access to DSL pre-ordering processes.

108. Ameritech Michigan also returns DSL loop qualification information via the OSS electronic interfaces Web Verigate, EDI LSOG 4, CORBA, EDI LSOG 1, and Internet LSOG 1. Performance results are reported on a diagnostic basis for PM 2-09 (Percent Responses Received Within "X" Seconds – DSL Loop Qualification – Overall Result – Web Verigate), PM 2-09.1 (Percent Responses Received Within 51.6 Seconds – DSL Loop

⁷¹ An inaccuracy is defined when conditioning is required after a CLEC or Ameritech Michigan's affiliate has been notified through either the manual or electronic loop qualification process that conditioning is not required. Ameritech Michigan's current implementation of PM 1.2 mirrors the original implementation of the measure in SWBT. That implementation is currently under debate in the six-month review collaborative.

⁷² If conditioning is required on any of the loops Ameritech Michigan's affiliate accepts "as is," the additional provisioning requirements are completed following trouble tickets submitted by Ameritech Michigan's affiliate.

Qualification – Web Verigate), PM 2-09.2 (Percent Responses Received Within 59.2 Seconds – DSL Loop Qualification – Web Verigate), PM 2-21 (Percent Responses Received Within “X” Seconds – DSL Loop Qualification – Overall Result – EDI LSOG 4/CORBA), PM 2-21.1 (Percent Responses Received Within 51.6 Seconds – DSL Loop Qualification – EDI LSOG 4/CORBA), PM 2-21.2 (Percent Responses Received Within 59.2 Seconds – DSL Loop Qualification – EDI LSOG 4/CORBA), PM 2-31 (Percent Responses Received Within “X” Seconds – DSL Loop Qualification – Overall Result – EDI/Internet LSOG 1), PM 2-31.1 (Percent Responses Received Within 51.6 Seconds – DSL Loop Qualification – EDI/Internet LSOG 1), and PM 2-31.2 (Percent Responses Received Within 59.2 Seconds – DSL Loop Qualification – EDI/Internet LSOG 1).

109. Ameritech Michigan’s performance results for all nine of these submeasures demonstrate that the benchmark standard has been surpassed in each of the past three months, with only a single exception.⁷³ In August, Ameritech Michigan was unable to meet the 95% benchmark for PM 2-21.2 (Percent Responses Received Within 59.2 Seconds – DSL Loop Qualification – EDI LSOG 4/CORBA). As a consequence, by definition, the 95% benchmark also was not met for PM 2-21 (Percent Responses Received Within “X” Seconds – DSL Loop Qualification – Overall Result – EDI LSOG 4/CORBA). Ameritech Michigan successfully responded within 59.2 seconds to 92.67% of CLECs’ 464 requests for DSL loop qualification information via the EDI LSOG 4 and CORBA interfaces in August. This performance result was just 2.33%, or 11 responses, short of the 95%

⁷³ Since the overall results for responding to CLECs’ requests for DSL loop qualification information are identical to the percentage of responses received within 59.2 seconds, if Ameritech Michigan meets or surpasses the 90% benchmark for PMs 2-09.2, PM 2-21.2, and PM 31.2, then the same 90% benchmarks for PM 2-09, PM 2-21, and PM 2-31 also will be met or surpassed by definition.

benchmark (for both PM 2-21 and PM 2-21.2). Furthermore, over the past three months combined (June – August), Ameritech Michigan returned within 59.2 seconds 96.60% (1,476) of CLECs' 1,528 requests for DSL loop qualification information using the EDI LSOG 4 and CORBA interfaces within 59.2 seconds.

110. In addition, in each of the most recent three months (June, July, and August), Michigan CLECs using the Web Verigate interface received responses within 51.6 seconds to more than 96.24%, compared to a benchmark of 80%, of all requests for DSL loop qualification information (PM 2-09.1). Furthermore, Michigan CLECs using the Web Verigate interface received responses within 59.2 seconds for at least 96.75%, compared to a 90% benchmark, of the total requests for DSL loop qualification information in each of the past three months (PM 2-09.2). Finally, Michigan CLECs using the EDI LSOG 1 and Internet LSOG 1 interfaces received responses within 51.6 seconds and 59.2 seconds (compared to 90% and 95% benchmarks, respectively) to all (i.e., 100%) requests for DSL loop qualification information in each of the past three months (PM 2-31.2). These “within a matter of seconds” levels of performance provide CLECs timely access to loop qualification information.

111. The performance results for PM 5-18 (Percent Firm Order Confirmations (FOCs) Returned Within 6 Hours – Electronically Submitted LSRs – UNE xDSL-Capable Loops – 1-19 Loops) demonstrate that Ameritech Michigan surpassed the 95% benchmark in each of the past three months. At least 96.62% (compared to a 95% benchmark) of FOCs were returned within 6 hours for electronically submitted CLEC orders for 19 or fewer DSL loops in each of the most recent three months. Over the past three months combined,

97.64% (exceeding the 95% benchmark) of FOCs associated with CLECs' 2,118 electronically submitted orders for 19 or fewer DSL loops were returned within 6 hours. Moreover, Ameritech Michigan's performance results demonstrate that the 95% benchmark was surpassed in June, July, and August for PM 5-20 (Percent Firm Order Confirmations (FOCs) Returned Within 6 Hours – Electronically Submitted LSRs – DSL with Line Sharing – 1-49 Loops). At least 99.03% (compared to a 95% benchmark) of FOCs were returned within 6 hours for CLECs' electronically submitted LSRs for 49 or fewer line shared DSL loops. Of the 798 FOCs associated with Michigan CLECs' electronically submitted LSRs for 49 or fewer line shared DSL loops over the past three months combined, 99.37% (surpassing the 95% benchmark) were returned within six hours.

112. Ameritech Michigan's performance results in providing timely loop qualification information and the return of FOCs clearly demonstrate that Ameritech Michigan is providing CLECs nondiscriminatory access to DSL loop pre-ordering and ordering information.

Unbundled Digital Loops

113. Ameritech Michigan's performance results demonstrate that Michigan CLECs are provided both nondiscriminatory access to digital loops (which include both BRI and DS1 loops)⁷⁴ and a meaningful opportunity to compete. Michigan CLECs' digital loops generally are provisioned about as quickly as Ameritech's own retail loops, CLECs encounter a lower

⁷⁴ Since they are functionally equivalent, the data for unbundled DS1 loops includes the performance results for ISDN-PRI circuits. In addition, performance measurements for installation intervals (PM 55-02 and PM 56-02) refer to "2 wire digital loops," while the remainder of the UNE performance measurements refer to "BRI loops." These terms will be used interchangeably in discussing Ameritech Michigan's performance. Finally, the generic term "unbundled digital loops" is used to refer to BRI, DS1, and PRI loops as a group.

percentage of missed digital loop installation appointments, the installation quality of the CLECs' loops is at least as good as that provided to Ameritech 's own customers, and the timeliness and quality of Ameritech 's digital loop maintenance and repair services for CLECs are no less than that provided to its own retail operations.

Missed Installation Appointments for Digital Loops

114. Ameritech Michigan has demonstrated strong performance relative to missed appointments. Ameritech Michigan achieved parity for both PM 58-06 (Percent Ameritech-Caused Missed Due Dates – BRI Loops with Test Access) and PM 58-08 (Percent Ameritech-Caused Missed Due Dates – DS1 Loops) in each of the past three months. The percentages of Michigan CLECs' orders for both BRI and DS1 loops affected by missed due dates were substantially lower than those for Ameritech 's retail customers in each of the most recent three months. Only five missed due dates affected the BRI loops provisioned for CLECs over the June – August period. Similarly, just nine missed due dates affected the DS1 loops

115. provisioned for Michigan CLECs over the same period. As a result, the 2.92% overall missed due dates for CLECs' BRI loops and 3.49% overall missed due dates for DS1 loops were far less than the 13.47% and 12.81% missed due dates experienced by Ameritech 's retail ISDN-BRI and DS1 customers, respectively.
116. Moreover, Ameritech Michigan's performance results met the standard for parity in each of the past three months for both PM 63-04 (Percent Ameritech-Caused Missed Due Dates > 30 Days – BRI Loops with Test Access) and PM 63-06 (Percent Ameritech-Caused Missed Due Dates > 30 Days – DS1 Loops with Test Access). None of the five missed due dates affecting Michigan CLECs' BRI loop orders nor the nine missed due dates for DS1 loop orders since June delayed installation by more than 30 days.
117. Furthermore, the available data indicate that the delays resulting from BRI and DS1 loop missed due dates affect Ameritech 's retail customers more severely than CLECs. For example, the performance results for PM 62-06 (Average Delay Days for Ameritech-Caused Missed Due Dates – DS1 Loops with Test Access) met the criteria for parity in each of the most recent three months. The average delay resulting from missed due dates for DS1 loop orders was lower for CLECs than for Ameritech 's retail loops in each of the past three months. Over the most recent three months combined, the average delay associated with missed due dates was 7.55 days for CLECs' DS1 loop orders, less than $\frac{1}{2}$ of the average delay of 15.99 days encountered by Ameritech 's retail customers. Similarly, Ameritech Michigan's performance results met the standard for parity in August for PM 62-04 (Average Delay Days for Ameritech-Caused Missed Due Dates – BRI Loops with

Test Access). CLECs experienced an average delay resulting from missed due dates for BRI loops (6.20 days) that was clearly superior to the 11.78 day average delay for Ameritech 's retail loops.⁷⁵

118. The performance results for the percentages of missed due dates for BRI and DS1 loop orders and the resulting installation delays demonstrate that Ameritech 's retail loops clearly are more adversely affected than CLECs. Given these results, it is inconsequential that the results for PM 55-02.1 (Average Installation Interval – 2 Wire Digital Loops – 1-10 Loops), PM 55-03 (Average Installation Interval – DS1 Loops with Test Access), PM 56-02.1 (Percent Installations Completed Within the Customer Requested Due Date – BRI Loops – 1-10 Loops), and PM 56-03 (Percent Installations Completed Within the Customer Requested Due Date – DS1 Loops) indicate that Ameritech Michigan was unable to achieve the three-day (for PM 55) and 95% (for PM 56) benchmarks during each of the past three months.

119. Likewise, Ameritech Michigan's performance results for the past three months demonstrate that a lack of facilities has affected CLECs no more, and in several months less, severely it's own retail customers. The performance results met the standard for parity in each of the past three months for both PM 60-04.1 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities – BRI Loops) and PM 60-06.1 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities – DS1 Loops). In June and August, a lack of facilities

⁷⁵ Although August was the only month of the past three for which data sufficient to determine parity were reported, the available data for June and July indicate that average delay days resulting from CLEC BRI loop missed due dates were substantially less than the corresponding delays affecting Ameritech 's retail loops.

120. resulted in lower percentages of missed due dates for CLECs' BRI loops than for retail loops. In July, the percentages of BRI loop missed due dates caused by a lack of facilities were comparable for CLECs and Ameritech 's retail operations. In addition, the percentages of DS1 loop missed due dates resulting from a lack of facilities were comparable for Michigan CLECs and Ameritech 's retail customers in both June and August. In July, the percentage of CLECs' DS1 loop missed due dates caused by a lack of facilities was lower than the corresponding percentage of missed due dates for retail operations. Over the June – August period as a whole, a lack of facilities caused missed due dates for 4.34% of Michigan CLECs' BRI orders and 1.50% of DS1 orders, while a lack of facilities resulted in missed due dates for 4.57% and 1.65% of Ameritech 's retail ISDN-BRI and DS1 loops, respectively.

121. Ameritech Michigan's performance results also met the standard for parity in each of the past three months for CLEC WI 11-01.6 (FMOD Forms B, C, D Percentage of Due Dates Met – Form B – DS1 Loops With Test Access). In June and August, the percentages of missed due dates for CLECs' DS1 loop orders involving the FMOD process were comparable to the percentages of missed due dates encountered by Ameritech 's retail orders. In July, the percentage of CLECs' DS1 loop orders involving the FMOD process affected by missed due dates was lower than for Ameritech 's retail orders.⁷⁶

⁷⁶ Fewer than ten CLEC orders for BRI loops involved the FMOD process in each of the past three months. The data reported for CLEC WI 11-01.6 (FMOD Forms B, C, D Percentage of Due Dates Met – Form B – BRI Loops With Test Access) indicate that the due dates were met for 4 of the 6 CLEC orders for BRI loops involving the FMOD process in June, one of the two orders in July, and 5 of the 8 orders in August. Statistically reliable conclusions regarding whether these performance results met the standard for parity can not be derived from such small monthly samples of CLEC orders provisioned using the FMOD process.

122. Finally, Ameritech Michigan achieved parity in each of the most recent three months for the four performance measurements relating to the percentage of CLECs' BRI and DS1 missed due dates resulting from a lack of facilities that subsequently caused installation delays greater than either 30 days or 90 days. The performance data over the June – August interval for PM 60-04.2 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 30 Days – BRI Loops), PM 60-04.3 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 90 Days – BRI Loops), PM 60-06.2 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 30 Days – DS1 Loops), and PM 60-06.3 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 90 Days – DS1 Loops) demonstrate that none of the Michigan CLECs' 18 BRI loop and 11 DS1 loop missed due dates caused by a lack of facilities delayed installation by more than 30 (and hence, by definition, more than 90) days. As a consequence, the reported performance results for PM 60-04.3 and PM 60-06.3 demonstrate that neither CLECs nor Ameritech 's retail loops were affected by missed due dates caused by a lack of facilities and also resulted in an order completion delay greater than 90 days (i.e., the performance results for both PM 60-04.3 and PM 60-06.3 were identical for Michigan CLECs and Ameritech retail operations). However, while CLECs were unaffected by BRI and DS1 loop missed due dates resulting from a lack of facilities and causing installation delays of more than 30 days as a result of a lack of facilities over the June – August interval, Ameritech 's retail ISDN-BRI and DS1 loops encountered 0.41% and 0.55% missed due dates with delays greater than 30 days, respectively.

123. These performance measurement results relative to the timeliness and reliability of the installation services for BRI and DS1 loops clearly demonstrate that Ameritech Michigan is

providing Michigan CLECs nondiscriminatory access to BRI and DS1 loops, and thus, a meaningful opportunity to compete.

Average Completion Intervals

124. The performance results for PM 55-02.1 (Average Installation Interval – 2 Wire Digital Loops – 1-10 Loops) show that Ameritech Michigan was unable to meet the three day benchmark in any of the past three months. Michigan CLECs’ 2 wire digital loop orders were provisioned, on average, within 3.74 days during the past three months (June - August). This average exceeded the three-day target by only about $\frac{3}{4}$ of a day. The average installation intervals for Michigan CLECs’ orders for 10 or fewer 2 wire digital loops were 3.05 days (exceeding the 3 day target by only 0.05 days, or about 72 minutes) and 3.62 days (about $\frac{1}{2}$ day greater than the 3 day target) in July and August, respectively. Similarly, Ameritech Michigan’s performance results for PM 56-02.1 (Percent Installations Completed Within the Customer Requested Due Date – 2 Wire Digital Loops – 1-10 Loops) demonstrate that the 95% benchmark was missed by just 0.26%, 0.51%, and 0.59% in June, July, and August, respectively. Over the past three months combined, 94.52% of Michigan CLECs’ orders for ten or fewer 2 wire digital loops were completed by the requested due date. Ameritech Michigan’s performance fell less than $\frac{1}{2}$ percentage point short of the 95% target. In general, over the June – August three month period, Michigan CLECs experienced an overall average installation interval within $\frac{3}{4}$ of a day greater than the 3 day target (PM 55-02.1) and the percentage of orders installed within the due date was $\frac{1}{2}$ of a percentage point below the 95% target (PM 56-02.1). These minor performance “shortfalls” likely would not be sufficient to have any adverse affects on the competitive

telecommunications market in Michigan, especially when one considers the low rates of missed due dates I described above.

125. The performance data for PM 55-03 (Average Installation Interval – DS1 Loops), indicate that Ameritech Michigan was unable to meet the 3 day target in any of the past three months. However, the average installation interval for Michigan CLECs' DS1 loops improved from 6.44 days in June to 5.92 days in August, while the volume of loops installed in August was over 45% greater than in June.⁷⁷ Thus, the average installation interval improved toward the performance target while the volume of orders increased. The data for PM 56-03 (Percent Installations Completed Within the Customer Requested Due Date – DS1 Loops) indicate that the 95% benchmark was met in one of the past three months. In July, 95.33% of CLECs' DS1 orders were completed within the requested due date, but Ameritech Michigan fell just short of the benchmark with 90.91% and 94.01% of DS1 orders installed within the requested due date in June and August, respectively. In August, Ameritech Michigan's performance results fell only 0.99%, or 3 orders, short of the 95% benchmark for PM 56-03. Over the past three months combined, 93.62% of Michigan CLECs' DS1 loop orders were completed within the requested due date. Nevertheless, this level of performance fell just 1.38%, or 9 orders, short of the benchmark. These slight performance shortfalls likely had little, if any, adverse affects on competition.

126. Although Ameritech Michigan was unable to meet all of the benchmarks for PM 55.2-01, PM 55-03, PM 56-02.1, and PM 56-03 in each of the past three months, the shortfalls

⁷⁷ As reported for PM 55-03, the 93 CLEC DS1 loops installed in August represented a 45.3% increase over the 64 loops completed in June.

typically have been minimal and insufficient to have any practical effect on competition in the Michigan telecommunications market. Further, these slight benchmark shortfalls were not severe enough to deprive Michigan CLECs of a meaningful opportunity to compete.

Installation Quality of Digital Loops

127. Ameritech Michigan's performance results for PM 59-06 (Percent Trouble Reports Within 30 Days of Installation – BRI Loops with Test Access) demonstrate that the standard for parity was met in two of the past three months (June – August). The percentages of BRI loops installed in July and August for CLECs that subsequently generated trouble reports within 30 days were lower than the corresponding installation trouble report rates for Ameritech's retail ISDN-BRI loops. As a result, over the June – August three month interval, installation trouble reports were generated by 9.40% of CLECs' BRI loops, while 10.12% of Ameritech's retail loops generated I-30 reports. Moreover, the percentages of CLECs' DS1 loops affected by installation trouble reports also were lower than those experienced by Ameritech's retail DS1 customers in each of the past three months. The performance results for PM 59-08 (Percent Trouble Reports Within 30 Days of Installation – DS1 Loops with Test Access) demonstrate that over the June – August three month interval, the installation trouble report rate of 7.38% experienced by Michigan CLECs was superior to the 12.15% affecting Ameritech's retail DS1 loops.

128. Ameritech Michigan's performance results for PM 65-06 (Trouble Report Rate – BRI Loops with Test Access), PM 65-08 (Trouble Report Rate – DS1 Loops with Test Access), PM 65.1-06 (Trouble Report Rate Net of Installation and Repeat Reports – BRI Loops with Test Access), and PM 65.1-08 (Trouble Report Rate Net of Installation and Repeat Reports

– DS1 Loops with Test Access) also are indicators of the overall quality of the BRI and DS1 loops that Ameritech Michigan provides to Michigan CLECs.⁷⁸ Ameritech Michigan’s performance results have met the criteria for parity in each of the past three months for all four of these measures, with CLECs consistently experiencing lower trouble report rates for both BRI and DS1 loops than Ameritech’s retail customers. In June, Michigan CLECs’ overall trouble report rate for BRI loops (PM 65-06) of 1.74% was comparable to the 1.69% trouble report rate for Ameritech’s retail loops. However, CLECs’ BRI loops experienced a lower trouble report rate than Ameritech’s retail loops in both July and August. Finally, CLECs’ overall trouble report rate for DS1 loops (PM 65-08) and the CLECs’ net trouble report rates for BRI (PM 65.1-06) and DS1 (PM 65.1-08) loops were lower than those affecting Ameritech’s retail loops in each of the past three months.

129. Over the June – August three month interval, Michigan CLECs’ average monthly trouble report rates have been 1.68% for BRI loops (PM 65-06) and 3.14% for DS1 loops (PM 65-08), compared to the 1.84% and 3.85% trouble report rates experienced by Ameritech’s retail ISDN-BRI and DS1 customers, respectively. Similarly, Michigan CLECs’ average monthly net trouble report rates since June have been 1.07% for BRI loops (PM 65.1-06) and 2.07% for DS1 loops (PM 65.1-08), compared to the 1.44% and 2.98% net trouble report rates experienced by Ameritech’s retail ISDN-BRI and DS1 customers, respectively.

⁷⁸ Ameritech Michigan has become aware that the line counts used to generate the POTS Business and POTS ISDN comparisons have excluded CENTREX ISDN lines. This issue is being addressed and should result in lower retail compare trouble report rate results.

130. Thus, Michigan CLECs typically experience lower trouble report rates within 30 days of BRI and DS1 loop installations than Ameritech's retail customers. Furthermore, both the overall trouble report rates and net trouble report rates for CLECs' BRI and DS1 loops are consistently lower than those affecting Ameritech's retail circuits. As a result, the installation quality of the 2 wire digital (i.e., BRI) and DS1 loops Ameritech Michigan provides to CLECs is surely sufficient to ensure them a meaningful opportunity to compete.

Timeliness and Quality of Digital Loop Maintenance and Repair

131. Ameritech Michigan's performance results over the past three months demonstrate that CLECs' BRI and DS1 loops affected by trouble reports consistently are repaired more quickly than Ameritech's retail loops. The data for PM 67-06 (Mean Time to Restore (Hours) – Dispatch – BRI Loops with Test Access), PM 67-08 (Mean Time to Restore (Hours) – Dispatch – DS1 Loops with Test Access), PM 67-21 (Mean Time to Restore (Hours) – No Dispatch – BRI Loops with Test Access), and PM 67-23 (Mean Time to Restore (Hours) – No Dispatch – DS1 Loops with Test Access) demonstrate that Ameritech Michigan's performance has been in parity during each of the past three months (for which sufficient data were reported) for all four of these measures. In fact, the performance results since June demonstrate that the average repair intervals for CLECs' BRI and DS1 loops have been superior to those for Ameritech's retail loops. As a result of the high level of loop quality and provisioning services Ameritech Michigan provides CLECs, unbundled BRI loops generated fewer than ten trouble reports for which dispatch was not required in

the past two months.⁷⁹ Consequently, monthly sample sizes for trouble reports generated by CLECs' BRI loops were insufficient to reliably determine whether Ameritech's performance results for PM 67-21 met the statistical criteria for parity in two of the past three months. Nevertheless, the available data for PM 67-21 are consistent with the conclusion that CLECs' BRI trouble reports for which dispatch is unnecessary are repaired more quickly than Ameritech's retail loops.

132. Since June, the overall average repair intervals for CLECs' BRI and DS1 loops affected by trouble reports requiring dispatch have been 10.83 hours (PM 67-06) and 5.15 hours (PM 67-08), compared to the corresponding average intervals of 28.56 and 7.62 hours for Ameritech's retail ISDN-BRI and DS1 loops, respectively. The overall (June - August) mean times to clear trouble reports for which dispatch was not required were 2.32 hours for CLECs' BRI loops (PM 67-21) and 1.44 hours for DS1 loops (PM 67-23), compared to the average intervals of 7.22 and 2.26 hours for Ameritech's retail ISDN-BRI and DS1 loops, respectively.⁸⁰

133. The data for PM 69-06 (Percent Repeat Reports – BRI Loops with Test Access)

demonstrate that Ameritech Michigan's performance has met the standard for parity in two

⁷⁹ CLECs' BRI loops generated only 8 trouble reports for which dispatch was unnecessary in both June and July. Furthermore, Michigan CLECs' BRI loops were affected by just 11 trouble reports that did not require dispatch in August.

⁸⁰ The mean times to restore those Michigan CLECs' BRI loops that generated the 8 trouble reports that did not require dispatch in June was 1.84 hours (compared to an average repair interval of 10.54 hours for Ameritech's retail loops). Similarly, the mean time to restore those CLECs' BRI loops that generated the 8 trouble reports in July was 1.66 hours (compared to an average repair interval of 6.25 hours for Ameritech's retail loops). Although the CLEC monthly trouble report sample sizes are insufficient to statistically determine whether the criteria for parity service were met, the data that are available for June and July are consistent with, and to some extent support, the August performance results. The standard for parity was met in August, as CLECs experienced a mean time to restore of 3.14 hours for BRI loop trouble reports, compared to the average repair interval of 5.38 hours for Ameritech's retail loops.

of the most recent three months. The CLECs' repeat report rate was lower than the repeat trouble report rate that affected Ameritech's retail loops in June. Michigan CLECs' BRI loops encountered repeat trouble reports at a rate comparable to that of Ameritech's retail customers in July. Although the reported performance results did not meet the standard for parity in August, just six repeat trouble reports separated the repeat report rates encountered by CLECs' BRI loops (24.68%) and Ameritech's retail loops (16.87%). Finally, the results for PM 69-08 (Percent Repeat Reports – DS1 Loops with Test Access) demonstrate that Ameritech Michigan's performance has met the standard for parity in each of the past three months. The repeat trouble report rate for Michigan CLECs' DS1 loops was comparable to that for Ameritech's retail loops in June and lower than the retail repeat report rates in both July and August. Over the June - August interval, CLECs' DS1 loops were affected by a 15.37% monthly average repeat report rate, compared to the 16.30% encountered by Ameritech's retail customers. Thus, Ameritech Michigan's performance results over the past three months illustrate that CLECs receive high quality BRI and DS1 loops that neither continuously generate additional (i.e., repeat) trouble reports nor require unusually complicated repair procedures.

Unbundled 2 Wire Analog Loops

134. Ameritech Michigan's performance results over the most recent three months demonstrate that the percentage of CLECs' 2 wire analog (8.0 dB) loop orders affected by missed due dates was lower than for retail loops, the delays caused by those due dates that were missed were shorter for CLECs than retail customers, and CLECs orders were much less severely affected by a lack of facilities than retail orders. In addition, the installation quality (as measured by trouble reports within 30 days and overall trouble reports) of the 8.0 dB loops

provisioned for Michigan CLECs has been superior to that provided to retail customers. Finally, the timeliness and quality of the maintenance and repair services received by Michigan CLECs exceed those services provided to retail customers.

Missed Installation Appointments for Analog Loops

135. Ameritech Michigan's performance results have exceeded the 95% benchmark in each of the past three months for PM 56-01.1 (Percent Installations Completed Within the Customer Requested Due Date – 2 Wire Analog Loops – 1-10 Loops). Over the June – August period, 98.83% of Michigan CLECs' orders for ten or fewer 2 wire analog loops were completed within the requested due dates. However, Ameritech Michigan was unable to meet the 95% benchmark for PM 56-01.2 (Percent Installations Completed Within the Customer Requested Due Date – 2 Wire Analog Loops – 11-20 Loops) in two of the past three months. Although 87.88% in June and 89.83% in July of CLECs' 2 wire analog loop orders for 11 – 20 loops were installed successfully within the CLECs' requested due dates, Ameritech Michigan fell short of the 95% target in both months. Ameritech Michigan was unable to meet the 95% benchmark for PM 56-01.2 because 5 CLEC orders in June and 4 in July required a longer interval than the customer requested due date to install. Over the three months ending August 2002, 89.66% of Michigan CLECs' total 2 wire analog loop orders for 11 – 20 separate loops were installed within the CLECs' requested due dates. Nevertheless, Ameritech Michigan's overall performance during this three month interval fell short of the benchmark standard as a result of 8 orders for which installation required intervals longer than the requested due date. These minor performance shortfalls for PM 56-01.2, particularly considering the strong performance results for PM 56-01.1, are unlikely to have any practical adverse effects on competition in Michigan.

136. Consistent with these performance results, Ameritech Michigan misses very few of CLECs' 2 wire analog 8.0 dB loop due dates.⁸¹ The data for PM 58-05 (Percent Ameritech-Caused Missed Due Dates – 8.0 dB Loops) demonstrate that Ameritech Michigan's performance met the standard for parity in each of the most recent three months. In each of these months, less than 0.61% missed due dates affected Michigan CLECs' orders for 8.0 dB loops. However, Ameritech's retail customers encountered missed due dates for over 6% of their orders in June, July, and August. Since June, just 0.41% of CLECs' 8.0 dB loop orders were affected by missed due dates, far less than the 6.60% missed due dates for Ameritech's retail loops.

137. In addition, the data for PM 63-03 (Percent Ameritech-Caused Missed Due Dates > 30 Days – 8.0 dB Loops) demonstrate that Ameritech Michigan's performance met the criteria for parity in each of the most recent three months. Only a single missed due date (in July) for CLECs' 8.0 dB loops caused an installation delay of more than 30 days. As a consequence, missed due dates for 8.0 dB loops that cause installation delays greater than 30 days affected none of the CLECs' orders in June and August and only 0.01% in July. These results compare favorably to the 0.26%, 0.19%, and 0.27% missed due dates that caused installation delays greater than 30 days encountered by Ameritech's retail customers in June, July, and August, respectively.

⁸¹ While PM 55 and PM 56 refer to a disaggregated submeasure for 2 wire analog loops, the remaining UNE PMs refer instead to 8.0 dB loops. These terms are to be considered interchangeable for purposes of evaluating Ameritech Michigan's performance as evidence of compliance with the requirements of the fourteen point competitive checklist incorporated within section 271 of the 1996 Act. The terms "8.0 dB loops" and "2 wire analog loops" refer to the same physical network element. Ameritech Business Rules, pp. 90-92 (PM 55), 98-100 (PM 56), and 103-104 (PM 58).

138. Moreover, the data for PM 62-03 (Average Delay Days for Ameritech-Caused Missed Due Dates – 8.0 dB Loops) demonstrate that the average installation delay caused by missed due dates for Michigan CLECs was comparable to (i.e., the criteria for parity were met) the average delay affecting Ameritech’s retail loops in July. Furthermore, in June and August the average delay resulting from missed due dates for Michigan CLECs’ 8.0 dB loop orders was at least 2.5 days less than the average delays experienced by Ameritech’s retail customers. Over the three month interval June – August, an average installation delay of 5.85 days resulted from Michigan CLECs’ missed due dates for 8.0 dB loops, compared to the average delay of 7.18 days affecting Ameritech’s retail loops.

139. The performance results over the past three months also demonstrate that CLECs were far less severely affected by a lack of facilities than were Ameritech’s retail loops. The data for PM 60-03.1 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities – 8.0 dB Loops), PM 60-03.2 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 30 Days – 8.0 dB Loops), and PM 60-03.3 (Percent Ameritech-Caused Missed Due Dates Due to Lack of Facilities > 90 Days – 8.0 dB Loops) demonstrate that Ameritech Michigan’s performance met the standard for parity in each of the past three months for each of these three measures. Less than 0.6% of Michigan CLECs’ 8.0 dB loop orders were affected by missed due dates caused by a lack of facilities in each of the most recent three months, compared to the 3% or greater of the missed due dates experienced by Ameritech’s retail customers in June, July, and August. Since June, only 0.52% of Michigan CLECs’ 8.0 dB loop orders were affected by missed due dates caused by a lack of facilities, compared to the 3.38% missed due dates for Ameritech’s retail loops. In addition, none of the missed due dates caused by a lack of facilities affecting CLECs’ 8.0

dB loop orders caused an installation delay greater than 30 days (PM 60-03.2). Hence, by definition, none of these lack of facilities caused missed due dates delayed the installation of any Michigan CLEC's 8.0 dB loop order by more than 90 days.

140. Ameritech Michigan's performance results met the standard for parity in August for CLEC WI 11-01.4 (FMOD Forms B, C, D Percentage of Due Dates Met – 8.0 dB Loops Without Test Access). The due date was missed for only a single CLEC order for unbundled 8.0 dB loops of the 17 provisioned using the FMOD process in August. The resulting 5.88% missed due dates compares favorably to the 6.36% encountered by Ameritech's retail customers.⁸²

141. Finally, the data for PM 61-05 (Average Delay Days for Missed Due Dates Due to Lack of Facilities – 8.0 dB Loops) demonstrate that the average installation delay resulting from missed due dates caused by lack of facilities for Michigan CLECs was comparable to the average delay affecting Ameritech's retail loops in July. In both June and August, the average delay caused by missed due dates resulting from a lack of facilities was at least 2.5 days less for Michigan CLECs than for Ameritech's retail customers. Overall, total 8.0 dB loop missed due dates caused by a lack of facilities since June resulted in an average installation delay of 5.91 days for Michigan CLECs, compared to the average delay of 7.31 days for Ameritech's retail loops.

⁸² Fewer than ten CLEC orders for 8.0 dB loops were provisioned using the FMOD process in June and July. In both months, just 7 CLEC orders involved the FMOD process. The due dates were met for 6 of the FMOD orders in June and 5 in July.

Average Completion Intervals

142. Ameritech Michigan has been unable to meet the aggressive installation interval target of 3 days for PM 55-01.1 (Average Installation Interval – 2 Wire Analog Loops – 1-10 Loops) in any of the past three months. However, the monthly deviations from the performance standard have been about $\frac{1}{2}$ (or less) of a day. The average installation interval for Michigan CLECs' orders for ten or fewer 2 wire analog loops exceeded the 3 day target by 0.24, 0.55, and 0.10 of a day in June, July, and August, respectively. Such minimal deviations from the performance standard for PM 55-01.1 are unlikely to affect the competitive telecommunications market in Michigan. Ameritech Michigan's performance results met the 7-day target in one of the most recent three months for PM 55-01.2 (Average Installation Interval – 2 Wire Analog Loops – 11-20 Loops). The average installation interval for Michigan CLECs' 2 wire analog loop orders (11 - 20 loops) was 5.34 days in July. The average installation intervals were 7.22 and 7.72 days for CLECs' 2 wire analog loop orders (11 - 20 loops) in June and August, respectively. These performance results exceeded the target by less than a day (just 0.22 and 0.77 of a day in June and August, respectively). During the June – August three month period, the overall average installation intervals for Michigan CLECs' 2 wire analog loop orders were 3.28 days for 1 – 10 loops (PM 55-01.1), exceeding the target by only 0.28 of a day, and 6.77 days for 11 – 20 loops (PM 55-01.2), meeting the 7 day target. Considering the low rates of missed due dates described above, these differences are not competitively significant.⁸³

⁸³ Ameritech Michigan has become aware of an issue with the current implementation of the retail compare for Average Installation PMs (27, 43 and 55) that results in understated retail performance for retail orders when multiple supplements are issued. The issue is being addressed and restatement of results will be undertaken if determined material.

Installation Quality of Analog Loops

143. The quality (as measured by the incidence of various types of trouble reports) of the 8.0 dB loops provided to CLECs typically is superior to the quality of the loops Ameritech offers its own retail customers. The data reported for PM 59-05 (Percent Trouble Reports Within 30 Days of Installation – 8.0 dB Loops) demonstrate that Ameritech Michigan's performance met the standard for parity in each of the past three months. In fact, the percentages of Michigan CLECs' 8.0 dB loops affected by trouble reports within 30 days of installation were less than the corresponding percentages for Ameritech's retail loops in each of the most recent three months. Over the June – August period as a whole, 4.37% of the 8.0 dB loops installed for Michigan CLECs generated trouble reports within 30 days, compared to the 13.28% installation trouble report rate experienced by Ameritech's own retail customers.

144. The data for PM 65-05 (Trouble Report Rate – 8.0 dB Loops) and PM 65.1-05 (Trouble Report Rate Net of Installation and Repeat Reports – 8.0 dB Loops) also demonstrate that Ameritech Michigan's performance met the standards for parity in each of the past three months for both of the measurements. Michigan CLECs' 8.0 dB loop trouble report rate (PM 65-05) in July (0.99%) was comparable to that affecting Ameritech's retail loops (0.97%). The trouble report rates of 0.83% and 0.92% generated by CLECs' 8.0 dB loops in June and August, respectively, were lower than the corresponding 0.92% and 1.05% trouble report rates affecting Ameritech's own retail customers. In addition, the 8.0 dB loop trouble report rates net of installation and repeat reports encountered by Michigan CLECs were lower than the net trouble report rates affecting Ameritech's retail loops in

each of the most recent three months. Michigan CLECs' 8.0 dB loops were affected by an average monthly net trouble report rate of 0.63% during June, July, and August combined. The corresponding average monthly net trouble report rate for Ameritech 's retail loops was 0.77%.

Timeliness and Quality of Analog Loop Maintenance and Repair

145. The data reported for PM 69-05 (Percent Repeat Reports – 8.0 dB Loops) demonstrate that Ameritech Michigan's performance results met the criteria for parity in each of the most recent three months. The repeat trouble report rate for Michigan CLECs' 8.0 dB loops was lower than the corresponding repeat report rate for Ameritech 's own retail loops in each of the past three months. Since June, the 6.92% average monthly repeat report rate affecting Michigan CLECs' 8.0 dB loops was clearly superior to the 12.02% average repeat report rate experienced by Ameritech 's retail customers. As a result, the quality of the maintenance services (as measured by repeat report rates) provided to Michigan CLECs typically is superior to that received by retail customers.

146. Ameritech Michigan also provides CLECs with timely maintenance and repair services for unbundled 8.0 dB loops. For example, the reported data for both PM 67-05 (Mean Time to Restore (Hours) – Dispatch – 8.0 dB Loops) and PM 67-20 (Mean Time to Restore (Hours) – No Dispatch – 8.0 dB Loops) demonstrate that Ameritech Michigan's performance regarding both of these measures met the criteria for parity in each of the most recent three months. Trouble reports affecting 8.0 dB loops, regardless of whether dispatch is necessary or not, consistently have been cleared more quickly for CLECs than for Ameritech 's own retail loops. For example, Ameritech Michigan's performance results for PM 67-05

demonstrate CLECs' 8.0 dB loop trouble reports requiring dispatch have been repaired nearly 5 times more quickly than Ameritech 's own retail loops are restored in each of the past three months. Since June, the overall average time to restore has been 7.03 hours for CLECs' 8.0 dB loops affected by trouble reports that require dispatch to repair, five times more quickly than the overall average repair interval of 37.13 hours for Ameritech 's retail loops. Similarly, over the past three months combined, the average repair intervals for 8.0 dB loops affected by trouble reports that did not require dispatch were 1.99 hours for CLECs and 8.40 hours for Ameritech 's retail loops. Thus, trouble reports affecting 8.0 dB loops for which dispatch is unnecessary are cleared 4 times more quickly for CLECs than for Ameritech 's own retail customers.

147. Ameritech Michigan's performance also surpassed the standards for parity in each of the most recent three months for PM 66-04 (Percent Missed Repair Commitments – 2 Wire Analog 8.0 dB Loops). The percentages of missed repair commitments were substantially lower for CLECs than for Ameritech 's retail loops in June, July, and August. Since June, the overall percentage of missed repair commitments encountered by Ameritech 's retail customers was 10.92%, nearly 3 times higher than the 3.88% of missed repair commitments experienced by CLECs. Finally, Ameritech Michigan's performance surpassed the criteria for parity in each of the past three months for PM 68-01 (Percent Out Of Service (OOS) < 24 Hours – 2 Wire Analog 8.0 dB Loops).⁸⁴ In each of the past three months, the percentages of the out of service trouble reports affecting CLECs' 8.0 dB loops that were

⁸⁴ This measurement identifies those trouble reports that are sufficiently severe to render an 8.0 dB loop useless (i.e., the loop can be classified as "out of service"). The monthly percentages of such severe (OOS) trouble reports cleared in less than 24 hours (i.e., the 8.0 dB loop is out of service less than 24 hours) are the performance data reported for PM 68-01. Ameritech Business Rules, p. 122.

cleared in less than 24 hours were substantially greater than the corresponding percentages for Ameritech 's own retail loops. The percentages of out of service trouble reports cleared in less than 24 hours for CLECs' 8.0 dB loops were 96.52%, 95.57%, and 96.23% in June, July, and August, respectively. Alternatively, Ameritech 's own retail customers experienced maintenance performance that was clearly less effective than that provided to the CLECs. The percentages of out of service trouble reports cleared in less than 24 hours for Ameritech 's retail loops were just 48.10%, 48.80%, and 59.49% in June, July, and August, respectively.

Coordinated Conversions – Hot Cuts

148. The performance results for those measurements relating to hot cuts provide the Michigan Commission sufficient evidence to conclude that Ameritech Michigan complies with the section 271 requirements regarding coordinated conversions. For example, although the data is reported on a diagnostic basis, Ameritech Michigan performance results for the various disaggregations of PM 55.2 (Average Installation Interval for Loop with LNP) indicate that the applicable performance targets generally are met.⁸⁵ The reported data for PM 55.2-01.1 (Average Installation Interval for Loop with LNP – Coordinated Hot Cuts (CHC) – 1-10 Loops) show that Ameritech Michigan met the six-day target in each of the most recent three months. Since June, the overall average installation interval for coordinated hot cuts involving 10 or fewer loops has been 5.38 days, lower than the 6-day target interval. Similarly, the reported data for PM 55.2-01.2 (Average Installation Interval for Loop with LNP – Coordinated Hot Cuts (CHC) – 11-20 Loops) indicate that the average

installation interval was within the 8-day target in June and August. Thus, Ameritech Michigan's performance met the target in two of the past three months. Over the entire three-month interval, the average installation interval for CHC involving 11 – 20 loops was 8.02 days, just 0.02 days greater than the 8-day target for the 505 coordinated hot cuts involving 11 – 20 loops. The Ameritech Michigan performance data for PM 55.2-03.1 (Average Installation Interval for Loop with LNP – Frame Due Time (FDT) – 1-10 Loops) show that the average installation intervals met the 6-day target in each of the past three months. The data reported for PM 55.2-02.1 (Average Installation Interval for Loop with LNP – Non-CHC Coordinated Conversions – 1-10 Loops) indicate that the 4-day target was exceeded by less than 0.7 of a day in each of the past three months. In June, the 4-day target was exceeded by just 0.33 of a day and in August the target was missed by only 0.04 of a day. Over the June – August three month period as a whole, the average installation interval for non-CHC conversions involving ten or fewer loops was 4.36 days, less than ½ day greater than the target. Finally, while the 8-day target for PM 55.2-02.2 (Average Installation Interval for Loop with LNP – Non-CHC Coordinated Conversions – 11-20 Loops) was met in just one of the past three months (August), the overall average installation interval since June was 8.42 days, less than ¼ day greater than the target.⁸⁶

149. The performance results demonstrate that Ameritech Michigan was unable to meet the 2% benchmark for premature disconnects during coordinated conversions for FDT cutovers in

⁸⁵ The standard offered installation interval for each disaggregation of PM 55.2 is included in Version 1.8 of Ameritech's Business Rules (p. 95). However, customer requested intervals one day beyond the standard offerings are routinely accepted. These longer intervals represent the appropriate performance targets.

⁸⁶ Ameritech Michigan has become aware of an issue with a data feed that has not consistently populated a field required for the proper identification of Loop with LNP orders. As such, reported volume for all installation PMs that report Loop with LNP performance are understated. Ameritech Michigan is addressing the issue, which has been identified to affect June results. Restatement will be made if the impact is material.

any of the past three months. The data for PM 114-01 (Percent Premature Disconnects – LNP with Loop – FDT) indicate that, although the benchmark was not met, Ameritech Michigan’s performance has steadily improved over the past three months, as the percentage of premature disconnects has fallen while the number of conversions has increased. In June, 8.78% of the 706 FDT conversions were affected by premature disconnects, while in July 6.89% of the 1,089 conversions were affected by premature disconnects. Finally, in August Ameritech Michigan missed the 2% benchmark by just 1.49% (or 20 conversions) as 3.49% of the 1,319 FDT conversions encountered premature disconnects. This level of performance, though, does not reflect the actual service delivered to the CLECs. Data for June, July and August was restated October 7th to reflect a conservative implementation of the measure after it was determined that the results previously reported were in error. It was determined that the actual start time was not captured, and could not be derived, prior to September 2002. The restated results reflect a conservative approximation of the start time. Operational changes in the central offices have been implemented, effective September 2002, to capture data such that the actual start time can be accurately captured.

150. However, Ameritech Michigan’s performance results for PM 114-02 (Percent Premature Disconnects – LNP with Loop – CHC) demonstrate that none of the 3,569 coordinated hot cuts performed over the June – August three month period were affected by premature disconnects. Thus, the 2% benchmark was met in each of the past three months.

151. Ameritech Michigan consistently has met the benchmarks for coordinated conversion provisioning intervals in each of the most recent three months. The data for PM 114.1-01

(LNP with Loop Provisioning Interval – FDT – Less than 10 Lines) demonstrate that over 97.5% (compared to the 90% benchmark) of FDT conversions involving fewer than ten lines were completed within one hour in each of the past three months. Although the monthly sample sizes are small,⁸⁷ the data for PM 114.1-02 (LNP with Loop Provisioning Interval – FDT – 10-24 Lines) demonstrate that all (i.e., 100%) of the frame due time conversions involving 10 – 24 lines were completed within two hours in both June and July. Similarly, Ameritech Michigan’s performance results for PM 114.1-03 (LNP with Loop Provisioning Interval – CHC – Less than 10 Lines) demonstrate that over 98% (compared to the 90% benchmark) of CHC conversions involving fewer than ten lines were completed within one hour in each of the past three months. Finally, the results for PM 114.1-04 (LNP with Loop Provisioning Interval – CHC – 10-24 Lines) demonstrate that all (i.e., 100%) of the coordinated hot cut conversions involving 10 – 24 lines were completed within two hours in June and August, while over 97% were completed within two hours in July (compared to the 90% benchmark).

152. Ameritech Michigan also has consistently met the applicable benchmark standards for the percentage of delayed coordinated conversions. The performance results for PM 115-02.1 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 30 Minutes – LNP with Loop – CHC) demonstrate that none of the coordinated hot cut conversions during any of the most recent three months were affected by a delay of more than 30 minutes. Thus, not only was the 8% benchmark for PM 115-02.1 met in each of the past three months, by definition the 2% and 1% benchmark also were met in each of the past three months for PM

⁸⁷ Sample sizes of 10 cutovers in May, 11 in July and none in August were reported for frame due time conversions involving 10 – 24 lines.

115-02.2 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 60 Minutes – LNP with Loop – CHC) and PM 115-02.3 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 90 Minutes – LNP with Loop – CHC). The performance data reported for PM 115-01.1 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 30 Minutes – LNP with Loop – FDT) demonstrate that none of the frame due time conversions completed in June and August were affected by delays greater than 30 minutes and just 4.87% (53 of the 1,089 FDT conversions), well below the 8% benchmark, were delayed by more than ½ hour in July. The performance data for PM 115-01.2 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 60 Minutes – LNP with Loop – FDT) indicate that only 0.3% (9), far less than the 2% benchmark, of the 53 FDT delayed conversions in July extended beyond one hour. Finally, the results for PM 115-03 (Percent Ameritech-Caused Delayed Coordinated Cutovers Greater than 90 Minutes – LNP with Loop – FDT) demonstrate that just 0.64% (7), slightly more than ½ of the 1% benchmark, of the delayed frame due time conversions in conversions were longer than 1 ½ hours. As a result, Ameritech Michigan met the applicable benchmark standards for all of the disaggregations of PM 115 in each of the past three months. Finally, Ameritech Michigan’s performance results for MI 3-01 (Coordinated Conversions Outside of Interval) demonstrate that all (i.e., 100%) of the coordinated unbundled loop cutovers began within one hour of the scheduled start time in each of the past three months.

153. Ameritech Michigan performs both CHC and FDT conversions with very few trouble reports. The performance data for both PM 115.1-01 (Percent Provisioning Trouble Reports (PTR) – FDT) and PM 115.1-02 (Percent Provisioning Trouble Reports (PTR) –

CHC) demonstrate that less than 0.57% of the FDT and 1.04% of the CHC conversions were affected by provisioning trouble reports in any of the most recent three months. Over the June – August interval, Michigan CLECs encountered just 14 (0.41%) provisioning trouble reports during the 3,380 FDT conversions captured by PM 115.1-01 and 47 (0.59%) provisioning trouble reports during the 8,016 CHC conversions reported for PM 115.1-02. The results for PM 115.2-01 (Mean Time to Restore Provisioning Trouble Reports (PTR) – FDT) demonstrate that since June the overall average repair interval for the 14 provisioning trouble reports associated with FDT conversions was 4.79 hours. Ameritech Michigan’s performance results for PM 115.2-02 (Mean Time to Restore Provisioning Trouble Reports (PTR) – CHC) demonstrate that the average repair interval for the 47 provisioning trouble reports associated with CHC conversions over the past three months was 5.81 hours. Thus, the few provisioning trouble reports associated with both FDT and CHC conversions encountered by Michigan CLECs over the past three months were restored, on average, in less than one business day (i.e., 8 hours).

154. These results, both individually and collectively, demonstrate that Ameritech Michigan’s performance in providing Michigan CLECs CHC and FDT conversions affords them a meaningful opportunity to compete.

Checklist Item (v) – Unbundled Local Transport

155. The performance results make clear that Ameritech Michigan provides Michigan CLECs nondiscriminatory access to unbundled local transport. As seen in Attachment H, Ameritech Michigan achieved 100% performance for those measurements associated with this checklist item.

DS1 Dedicated Transport

156. Although Michigan CLECs did not order any DS1 circuits during the June through August 2002 interval, the quality of Ameritech Michigan's existing DS1 dedicated transport circuits in place for CLECs is reflected in the lack of trouble report activity. Against a installed base of 63 DS1 dedicated transport circuits (the denominator, or volume, for PMs 65-09 and 65.1-09 – Trouble Report Rate), no trouble reports were submitted that qualified for inclusion in the maintenance performance measures for the months of June through August 2002. This level of trouble reports is compared to retail trouble report rates in the results for PMs 65-09 and 65.1-09 of between 4 and 7 percent. As there were no troubles reported, the rate of repeat troubles reported in PM 69-09 (% Repeat Reports – DS1 Dedicated Transport) is also 0 percent.

DS3 Dedicated Transport

157. In the same fashion as for DS1 Dedicated Transport above, the quality of Ameritech Michigan's DS3 Dedicated Transport circuits is extremely good. Against an imbedded base of 170 circuits across June, July and August, there were no trouble reports submitted that qualified for measurement, for PMs 65-14 and 65.1-14 – Trouble Report Rate. The results do show one DS3 dedicated transport order being processed successfully against the installation performance standards in July.

Checklist Item (vi) – Unbundled Local Switching

158. The performance results on Attachment H show that the Michigan CLECs are not currently purchasing stand-alone unbundled local switch products from Ameritech Michigan. However, Ameritech Michigan believes that it makes available to Michigan CLECs

nondiscriminatory access to unbundled local switching. The process in place to provision unbundled local switching is the same as used for other wholesale products, including loops combined with switching and shared transport. As such, performance should the product be ordered can be expected to be comparable between unbundled local switching and other UNE products, including UNE_P.

Checklist Item (vii) – 911, E-911, Directory Assistance, and Operator Services

159. Ameritech Michigan’s performance measurement results show that Michigan CLECs receive nondiscriminatory access to 911, E-911, and directory assistance databases. As seen in Attachment I, Ameritech Michigan achieved 100% performance for those measurements associated with this checklist item. In general, the CLECs’ customer information is incorporated and maintained in SBC’s database systems as quickly, accurately, and efficiently as are Ameritech Michigan retail customers’ data.

160. Ameritech Michigan has provided the CLECs with ample access to operator services. The benchmark has been achieved by Ameritech Michigan during each of the last three months for PM 80-01 (Directory Assistance Average Speed Of Answer) and PM 82-01 (Operator Services Speed Of Answer). Note that these measures are calculated at the aggregate level, for all calls by CLEC and retail customers alike. Calls cannot be segregated by carrier, or for comparison between wholesale and retail, because Ameritech Michigan’s systems do not and cannot differentiate between carriers. The best possible protection against discrimination is the technical impossibility of doing so, or “parity by design.” For that reason, the Commission has held that Ameritech Michigan need not measure operator services separately by carrier: “without the ability to distinguish between callers that are

end user customers of the ILEC and those that are end user customers of the CLEC, there can be no lack of parity in treatment. As long as this lack of ability to distinguish exists, measuring the answer speed would provide a quality of service assessment, rather than offering any assistance in determining parity.”⁸⁸

161. Ameritech Michigan has also provided comparable service to the CLECs in updating their 911 records. In fact, Ameritech Michigan processed 100 percent of all CLEC update files by the next business day after receipt (PM MI 8-02). Further, the performance data for PM MI 6-02 (Erred Customer Record Update Files Not Returned by Next Business Day – Electronically Received) show that Ameritech Michigan has achieved parity in each of the past three months for the number of erred customer records not returned by the next business day to the CLECs. In fact, this error return rate has been less for the CLECs (0.0%) than it has been for Ameritech Michigan (0.3%) over the last three months. And while Ameritech Michigan is not responsible for the actual submission of CLEC data (and thus is not responsible for CLEC errors), the results for PM MI-7-02 (Percent Accuracy for 911 Database Updates (Facility-Based Providers) – Electronically Received) show that Michigan CLECs have had smaller error rate to their 911 updates (4.5%) as have been experienced by Ameritech Michigan (5.0%) over the last three months.

⁸⁸ Order, MPSC Case No. U-11830 (May 27, 1999), at 36.

162. Similarly, performance results for PM 110-01 (Percentage of Updates Completed into the DA Database Within 72 Hours for Facility Based CLECs) demonstrate that Ameritech Michigan consistently has updated 99.7% of Michigan CLECs' customers' records in the directory assistance database within 72 hours in each of the past three months (June 2002 – August 2002). In addition, the results for PM 111-01 (Average Update Interval for DA Database for Facility Based CLECs) show that the average interval required to update the directory assistance database for CLECs' customers' records during each of the last three months has been below the 48-hour benchmark. The monthly average 19.3 hour interval required to update the directory assistance database for Michigan CLECs' customers' records is significantly less than the benchmark of 48 hours.

163. The accuracy of the directory assistance database updates by Ameritech Michigan also has been superb. Ameritech Michigan has exceeded the 97% benchmark during each of the last three months for both PM 112-1 (Percentage DA Database Accuracy For Manual Updates) and PM 113-01 (Percentage of Electronic Updates that Flow Through the Update Process Without Manual Intervention). The performance results for 911, directory assistance, and operator services related services by Ameritech Michigan show that Michigan CLECs are provided nondiscriminatory access and have a meaningful opportunity to compete.

Checklist Item (ix) – Access to Telephone Numbers

164. Ameritech Michigan's performance measurement results demonstrate that Michigan CLECs receive nondiscriminatory access to telephone numbers. The results for PM 117-01 (Percent NXXs Loaded and Tested Prior to the LERG Effective Date) show that Ameritech

Michigan has loaded each of the CLECs' 68 NXXs before the LERG effective date, which resulted in 100% performance. Likewise, the performance results for PM 119-01 (Mean Time to Repair) show that Ameritech Michigan has repaired the CLECs' NXX trouble reports in less time (0.05 hours) than the interval required for retail customers during the last three month interval (0.06 hours). The performance results for access to telephone numbers by Ameritech Michigan show that Michigan CLECs are provided a meaningful opportunity to compete.

Checklist Item (xi) – Number Portability

165. The performance results clearly demonstrate that Ameritech Michigan provides Michigan CLECs nondiscriminatory access to number portability services. As shown in Attachment L, Ameritech Michigan achieved 92.6% performance for those measurements associated with this checklist item. For example, the average time out of service for a CLEC LNP conversion has never reached the 60-minute threshold in any of the past three months for PM 100-01 (Average Time Out Of Service for LNP Conversions). LNP conversions have averaged only 12.6 minutes out of service during the last twelve months.

166. Likewise, Ameritech Michigan has achieved the benchmark for PM 114.1-01 (CHC/FDT LNP with Loop Provisioning Interval - FDT LNP With Loop (<10 Lines)), PM 114.1-02 (CHC/FDT LNP with Loop Provisioning Interval - FDT LNP With Loop (10-24 Lines)), PM 114.1-03 (CHC/FDT LNP with Loop Provisioning Interval - CHC LNP With Loop (<10 Lines)), and PM 114.1-04 (CHC/FDT LNP with Loop Provisioning Interval - CHC LNP With Loop (10-24 Lines)) during the last three month interval. In fact, Ameritech

Michigan has converted 98.6% (11,244) of the 11,404 CHC/FDT lines by the CLECs since June 2002.

167. On the other hand, Ameritech Michigan has failed to achieve the 96.5% benchmark for PM 91-02. (Percentage of LNP Only Due Dates within Industry Guidelines - Partial).

Otherwise, Ameritech Michigan performance results for LNP-related services make it evident that Michigan CLECs are provided a meaningful opportunity to compete.

Checklist Item (xiv) – Resale

168. Ameritech Michigan's performance results clearly demonstrate that Michigan CLECs receive nondiscriminatory access to wholesale arrangements that facilitate the resale Ameritech Michigan's services. Ameritech Michigan achieved 95.9% performance for those measurements related to Ameritech Michigan CLECs' arrangements to resell Ameritech services (Attachment M). Ameritech Michigan's continued compliance with checklist item (xiv) – resale is demonstrated by the performance results for numerous provisioning, maintenance, and repair submeasures. As seen below, the provisioning performance results show that Michigan CLECs using Ameritech Michigan residence and business local loops for resale typically encounter shorter installation intervals and fewer missed due dates than do Ameritech Michigan's retail customers.

Table 4			
LOCAL EXCHANGE SERVICE RESALE			
June 2001 – August 2002			
MEAN INSTALLATION INTERVAL			
Monthly Average Interval (Days)			
Element	PM	CLEC	Ameritech Retail
Residence Loops – Field Work	27-01	2.4	3.9
– No Field Work	27-02	0.2	1.0
Business Loops – Field Work	27-03	3.35	3.39
– No Field Work	27-04	0.1	0.7
AMERITECH MICHIGAN-CAUSED MISSED DUE DATES			
Monthly Average Percentage of Orders Not Completed by Due Date			
Element	PM	CLEC	Ameritech Retail
Residence Loops – Field Work	29-01	3.6 %	7.7 %
– No Field Work	29-02	0.3 %	0.6 %
Business Loops – Field Work	29-03	5.7 %	4.5 %
– No Field Work	29-04	0.71 %	0.72 %

Note: The better service level is denoted in **bold**.

169. Furthermore, Ameritech Michigan’s performance results for PM 30-01 (Percent Ameritech Missed Due Dates Due to Lack of Facilities – POTS Residence) demonstrate that the percentage of Michigan CLECs’ residence and business loop orders affected by missed due dates as a result of a lack of facilities was lower than the comparable percentage of for Ameritech Michigan retail loops during each of the last three months. The results for PM 30-02 (Percent Ameritech Missed Due Dates Due to a Lack of Facilities – UNE Loop and Port Combination – POTS Business) indicate that Ameritech Michigan provided parity performance during the most recent three-month interval (June – August 2002).

170. Likewise, the percentage of Michigan CLECs' circuits installed within prescribed intervals generally is comparable to (if not better) than Ameritech Michigan retail customers' experience. The results for PM 28-01 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – Residence – Field Work), PM 28-02 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – Residence – No Field Work), PM 28-03 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – Business – Field Work), and PM 28-04 (Percent POTS/UNE-P Installations Completed Within the Customer Requested Due Date – Business – No Field Work) show that Ameritech Michigan has achieved parity each of the past three months when there is sufficient data.⁸⁹

171. The resold services purchased by Michigan CLECs also had fewer installation trouble reports during the first thirty days of service (I-30s) than the comparable lines purchased by Ameritech Michigan's retail customers. The results for PM 35-01 (Percent Trouble Reports Within 30 Days (I-30) of Installation – Residence – Field Work), PM 35-03 (Percent Trouble Reports Within 30 Days (I-30) of Installation – Business – Field Work), and PM 35-04 (Percent Trouble Reports Within 30 Days (I-30) of Installation – Business – No Field Work) show that Ameritech Michigan has achieved parity during the last three month interval.

⁸⁹ As noted in the E&Y Audit Report Attachment A, Section IV, Item #11, and discussed in Attachment Q to this affidavit, Ameritech Michigan's results for PM 28 Field Work submeasures (28-01, 28-03, 28-05 and 28-07) only include CLEC orders with due dates equal to or greater than the standard interval. The large majority of orders are given due dates less than the standard interval, as evidenced by the Mean Installation Interval results for the corresponding submeasures of PM 27. PM 27 submeasure results indicate that those offered due dates are consistently being met.

172. In addition, performance results for maintenance and repair (summarized in the table below) demonstrate that CLEC residence and business lines used for resale typically have a lower percentage of trouble reports and shorter repair intervals than do Ameritech Michigan's retail services.

Table 5			
LOCAL EXCHANGE SERVICE RESALE			
June 2002 – August 2002			
TROUBLE REPORT RATE			
August 2002 Rate*			
Element	PM	CLEC	Ameritech Michigan Retail
POTS - Residence	37-01	2.7 %	3.5 %
POTS - Business	37-02	0.7 %	1.0 %
MEAN TIME TO RESTORE			
Monthly Average Duration of Trouble Reports (Hours)			
Element	PM	CLEC	Ameritech Michigan Retail
Residence – Service Affecting – Dispatch	39-01	25.0	47.9
– No Dispatch	39-03	5.1	9.2
– Out of Service – Dispatch	39-02	19.8	37.9
– No Dispatch	39-04	5.0	7.7
Business – Service Affecting – Dispatch	39-05	23.1	33.0
– No Dispatch	39-07	2.0	7.3
– Out of Service – Dispatch	39-06	19.3	35.6
– No Dispatch	39-08	3.2	6.3

* - Because this is a “stock measurement,” the August 2002 data is reported for PM 37.

Note: The better service level is denoted in **bold**.

173. Despite this superior performance, Ameritech Michigan failed to meet a handful of resale measures. Parity was missed during two out of the last three months for PM 35-02 (Percent Trouble Reports Within 30 Days (I-30) of Installation – Residence – No Field Work), PM 38-02 (Percent Missed Repair Commitments– POTS - Residence - No Dispatch), and PM 54-01 (Failure Frequency – Resold Specials - DDS). These misses appear to be a temporary occurrence. Ameritech Michigan provided parity service for each one of these measures during one of the months within the June-August 2002 interval. The full results for this measure do not indicate that Ameritech Michigan has a recurring performance problem.⁹⁰

174. Ameritech Michigan’s performance results for numerous provisioning, and maintenance and repair measures directly identified as pertinent to checklist item (xiv) – resale show that Michigan CLECs are receiving nondiscriminatory access to Ameritech Michigan wholesale services for resale. Therefore, Michigan CLECs also are being provided a meaningful opportunity to compete and Ameritech Michigan is clearly in compliance with the section 271 requirements for checklist item (xiv) – resale.

AN INDEPENDENT VALIDATION OF AMERITECH MICHIGAN PERFORMANCE MEASUREMENT DATA AND PROCESS WAS CONDUCTED BY ERNST & YOUNG

175. On July 30, 2002, Ameritech Michigan filed a Notice (“July 30, 2002 Notice”) in this case advising that it did not believe that KPMG Consulting, now known as BearingPoint, would

⁹⁰ As with PM 33-03, SBC Ameritech Michigan also missed parity during two out of the last three months for PM 30-02.1 (Percent Ameritech Missed Due Dates Due To Lack Of Facilities – Business - > 30 days). Because of the very similar nature of these two measures, this recent performance appears to be just a temporary event. SBC Ameritech Michigan provided parity service for eight out of the nine previous months. In addition, parity was restored for this measure during July 2002.

complete its on-going reviews for the PMR-4 (Metrics Data Integrity) and PMR-5 (Metrics Calculations and Reporting) portions of the Performance Metrics Review Test before Ameritech Michigan made this filing of commercial performance results. In anticipation of this situation, Ameritech Michigan engaged E&Y in June 2002 to conduct a separate, independent audit of Ameritech Michigan's implementation of the Michigan Commission's performance business rules and of the accuracy and reliability of Ameritech Michigan's performance measurement reporting systems and processes (the "E&Y audit") to supplement the record on this issue. As the July 30, 2002 Notice indicated, the E&Y audit is not intended to replace or modify the intent or scope of BearingPoint's test, consistent with the terms of the Master Test Plan, Version 3.0, dated April 2, 2002.

176. Ameritech Michigan chose to engage E&Y because of its extensive experience in auditing SBC's performance measurement systems and processes. For example, E&Y conducted a similar audit of Southwestern Bell Telephone Company's ("SWBT") performance measurement systems and processes for the Missouri Public Service Commission during its review of SWBT's Missouri Section 271 application, which was subsequently approved by the FCC. In addition, E&Y has been responsible for conducting the audit of SBC's compliance with the Carrier-to-Carrier Performance Plan contained in the SBC/Ameritech Merger Conditions, on behalf of the FCC, for the past three years in all thirteen SBC states: the five SWBT states, Pacific Bell (California), Nevada Bell, Southern New England Telephone (Connecticut), and the five Ameritech states.
177. E&Y's independent audit of Ameritech Michigan's performance results for the evaluation period of March, April and May 2002 was performed in accordance with the Attestation

Standards established by the American Institute of Certified Public Accountants, and was consistent with the test scope for PMR 4 and PMR 5. A description of the scope, approach and methodology of E&Y's audit was attached to the July 30, 2002 Notice. A copy of the "Scope, Approach and Methodology" document dated July 24, 2002 is also attached here as Attachment M.

178. On August 21, 2002, Michigan Commission Staff arranged an industry collaborative meeting, which I attended. During this August 21, 2002 meeting, E&Y representatives provided a description of their audit scope, approach and methodology, and responded to clarifying questions from Commission Staff and participating CLECs. During the meeting, E&Y explained that it was performing two attestation examination engagements in accordance with the Attestation Standards established by the American Institute of Certified Public Accountants:

- Attestation Examination of the Accuracy and Completeness of SBC Ameritech's Performance Measurements for the Months of March, April and May 2002
- Attestation Examination of the Effectiveness of Controls over SBC Ameritech's Process to Calculate Performance Measurements for the Months of March, April and May 2002

179. E&Y explained that these two Reports cover the following Master Test Plan Sections: certain aspects of PMR 1 (data collection only), and all of PMR 4 and PMR 5. E&Y further noted that their Reports would cover the 150 Performance Measurements, as contained in Version 1.8 of the Business Rules. Finally, E&Y explained their testing approach as follows:

- Documentation of the Process and Controls to Capture, Calculate and Report Each Performance Measurement
- Site Visits and Testing of Processes to Capture PM Data
- Program Code Review – Review of Code to determine business rules are appropriately applied
- Transaction Testing – Statistical sampling of transactions for each performance measurement category to verify that raw data from the source systems was appropriately processed (i.e. business rules coding was appropriately applied and data is accurate) and captured in the PM reporting files (i.e. appropriately included/excluded in PM)
- Recalculations – Utilizing Detailed Processed Data Files (i.e. after application of business rules), E&Y will recalculate the numerator, denominator and result for each level of disaggregation for each PM reported upon. Additionally, E&Y will select a sample of PMs to recalculate the z-scores.
- Analytical Review – Fluctuations in each PM disaggregation will be analyzed to determine the reasonableness of reported results

180. A copy of E&Y's August 21, 2002 presentation "SBC Ameritech Michigan, Michigan 271 Performance Measurement Audit" is attached hereto as Attachment N.

181. On September 23, 2002, E&Y provided its draft reports simultaneously to SBC, to Staff and to the other parties in this proceeding. On October 14, 2002, E&Y participated in an industry collaborative meeting during which it answered orally and in writing over 200 questions from the Attorney General, AT&T, LDMI, TDS MetroCom and WorldCom regarding its draft audit reports. The collaborative covered all aspects of E&Y's independent performance audit, including E&Y's overall audit methodology and specific audit findings. On October 18, 2002, E&Y provided two final "Report of Independent Accountants" to SBC.. Copies of these two final audit reports are included with this affidavit as Attachments O and P.

Ernst & Young's Audit Report on Business Rule Compliance

182. The first E&Y Report of Independent Accountants released on October 18, 2002, was an examination concerning SBC Ameritech's conformity with the Michigan Business Rules, Version 1.8, in reporting its performance measurements results for the months of March, April and May 2002 in Michigan. E&Y's audit report concluded that "In our opinion, considering the Company's interpretations of the Business Rules discussed in Attachment B and except for the material noncompliance described in Attachment A, the Company complied, in all material respects, with the Business Rules during the Evaluation Period." I discuss each area of material noncompliance in Attachment A and each interpretation in Attachment B below. Based on that discussion, and taken in context, it is clear that Ameritech Michigan's reported performance results are reasonably accurate and reliable.

Attachment A

183. E&Y's Attachment A to its Report discussed and listed "Exceptions to compliance with the Business Rules" that E&Y identified through their audit of Ameritech Michigan's implementation of the Business Rules. In its Attachment A E&Y discussed three type of issues as follows:

184. Section II. Restatements

- Restatements of March-May 2002 results that Ameritech Michigan already had made, and such restatements changed the original parity or benchmark attainment/failure. The impact of these changes however were small: less than 1% of the PMs reported for March, 2.1% of the PMs reported for April and 1.1% of the PMs reported for May
- Restatements of March-May 2002 results that Ameritech Michigan already had made, but such restatements did not impact parity or benchmark attainment/failure. The

Report identifies 26 different issues affecting various PMs, however none of these impacted final results.

185. Section III Prospective Changes

- Performance that was reported in error during the Evaluation Period, where the error has been corrected by Ameritech Michigan on a prospective basis, but has not yet been restated. E&Y has verified that the corrective action has been taken, except were noted. E&Y identifies 27 different issues in this category affecting various PMs.

186. Section IV Other Identified Issues

- Performance that was reported in error during the Evaluation Period, where the error has not been corrected nor have results been restated by Ameritech Michigan. E&Y identifies 53 issues in this category affecting various PMs.

187. In the following paragraphs I discuss each of the “exceptions to compliance” noted by E&Y in Sections III and IV of E&Y’s Attachment A in the overall context of the reporting of Ameritech Michigan’s performance. A detailed assessment of and response to each exception (other than the restatements already implemented at the time of the E&Y Report and this, by definition, already reflected in the data here), is provided as Attachment Q to this affidavit. In this Attachment I provide for each issue Ameritech Michigan’s description of the root cause, the corrective action, the date of corrective action implementation and to the extent possible an assessment of potential impact on performance results.

188. However, prior to a detailed review of each of the issues identified in Sections III and IV of E&Y’s Attachment A, it is helpful to place those finding in proper context. As an initial matter, one must consider the scope and complexity of Ameritech Michigan’s performance reporting requirement. Ameritech Michigan is expected to collect data for, conduct

calculations on, and produce results for approximately 3200 (E&Y uses the number of 3400) performance measurement submeasures (1,800 wholesale, 1,400 retail or affiliate analogs) per month. Multiplied by the number of CLECs registered to do business in the State (133), these 3200 submeasures become 425,600 potential reportable performance results. Not all CLECs have data in every measurement category: That is a function of their business and marketing decisions. Nevertheless, Ameritech Michigan must still develop procedures for each and every measurement category. Data still needed to be collected, exclusions applied, numerators and denominators calculated, and results generated and reported.

189. In addition, it is important to recognize that performance measurement results convey data reflecting millions of discrete transactions. The data associated with any given transaction may be collected from among a multitude of sources that may be either mechanical (e.g., a computerized information system) or manual (e.g., a service representative's or plant technician's input). Even where the source of the data is mechanical, manual effort is required to program and monitor the mechanical process. Similarly, both mechanical and manual processes contribute to the calculation and posting of performance results.

190. While Ameritech Michigan believes its data collection, reporting, calculation and posting processes are highly reliable, it recognizes the possibility that, from time to time, errors may be discovered in the reported results. In that event, it may become necessary to update or revise some of Ameritech Michigan's performance results after they are posted (customarily known in the industry as "restatements"). Moreover, Ameritech Michigan

will conduct a data reconciliation upon CLEC request to address the accuracy of any reported data disputed by any CLEC.

191. Given this complex environment, Ameritech Michigan's accuracy and reliability is very good. For example, E&Y's business rule audit demonstrates that a very small number of restatements, less than 2%, results in a change from a "make" to a "miss." Likewise, E&Y's transaction testing demonstrate that Ameritech Michigan's performance results are very accurate. For example, of the 64,560 transactions tested per PM, E&Y noted 819 exceptions, or an overall error rate of 1.27%. In 8 out of the 18 PM families that E&Y audited the noted error rate was 0%. In particular the major OSS functions were strong, pre-order (7%); ordering (2%); provisioning (0%); maintenance (0%); coordinated hot cuts (0%) and billing (0%). As discussed below in more detail, approximately 95% of the errors identified with pre-ordering and ordering have been addressed, and 70% of all of the identified errors are scheduled for correction by year-end.

192. In Section IV – Other Identified Issues, E&Y found that various performance measurements were "reported in error during the Evaluation Period." As these issues were identified Ameritech Michigan created, where needed, Enhancement Requests ("ER") in its internal change management database to initiate and track implementation of required changes to address each issue. As I show in detail in Attachment Q, the issues identified either (1) did not require any change to the implementation of the measure, (2) were implemented and are reflected in the data presented here, or (3) have been scheduled for implementation with restatement (if needed) planned. The status of each issue listed in Section IV of E&Y's Attachment A to its Report is listed in Attachment Q.

Attachment B

193. Interpretation is inherent in the process of implementing a performance measurement that is as complex and comprehensive as that used by Ameritech Michigan. The defined Business Rules approved by the Michigan Commission are, by necessity, generic to allow changes in the actual business processes being measured while still achieving the same measurement goals. Interpretation is necessary to apply these rules to the business processes they measure.
194. E&Y's Attachment B to its Report discussed and listed "interpretations made by management related to their application of the Business Rules." Based on their review, E&Y did not consider these interpretations to be "exceptions" to compliance with the Business Rules. Attachment R to this affidavit provides Ameritech Michigan's reasoning for each interpretation made. Many of these have been discussed in the current six-month review, with preliminary agreement reached by the collaborative participants on updates to the Business Rules to reflect the interpretation Ameritech Michigan has made.
195. With the exception of 4 of the performance measure/interpretation issues listed in E&Y's Attachment B to its Report (excluding the Various PMs and Provisioning PMs interpretations identified as numbers 42 and 43 in Attachment B), Ameritech Michigan believes each interpretation listed is correct and appropriate. The specific few items where the interpretation has been determined to require updating will be changed to better reflect the letter and intent of the business rules as identified as such in Attachment R to this affidavit, along with the schedule in which the implementation has already been or will be

updated. These changes, however, do not materially affect the data presented herein, and in many cases would result in improved performance if changed.

Ernst & Young's Report on Effectiveness of Controls

196. The second E&Y "Report of Independent Accountants" assessed the effectiveness of Ameritech Michigan's controls over the processes used to calculate and report performance measurement results in accordance with the Business Rules. E&Y identified two processes used to generate performance results, manual collection and processing of data, and computer program coding and modifications, that may lack certain controls. That report concludes that: "In our opinion, except for the effect of the control deficiencies described above, the Company maintained, in all material respects, effective controls over the process to calculate and report accurate and complete performance measurements in accordance with the Business Rules for the Evaluation Period based upon the criteria set forth in the Business Rules." Ameritech Michigan has worked diligently over the past 18 months to improve its controls. At this time Ameritech Michigan has in place a robust, comprehensive set of change management and control processes. These processes are evidenced by the relatively small number and impact of restatements of results that have been made in the number of results reported each month.

197. The issues noted by E&Y relating to controls are limited into three: 1) Initial implementation of the performance measures in the year 2000; 2) Implementation of the LASR application as part of the Plan Of Record ("POR") release in April 2002, and 3) the execution of certain manual activities required in the monthly performance measure result generation process. Initial implementation of the PMs followed a schedule dictated by

merger stipulations and conditions. This schedule allowed for less than 9 months for the majority of the PMs to be implemented. Given the schedule and the generic nature of the PM business rules, initial implementations have been reviewed and updated as part of the ongoing PM change management process. Since the initial implementations, Ameritech Michigan's controls have been greatly expanded and enhanced. Implementation of LASR was part of required implementation of systems to comply with regulatory stipulations stemming from the FCC SBC/Ameritech merger approval. The POR release of April 2002 involved complex upgrades to Ameritech Michigan's wholesale service request and order processing applications. With respect to performance measurements, it involved the introduction of new staff not familiar with the Ameritech performance measurements, performance measure reporting architecture, and change control processes.

198. The POR release primarily affected ordering PMs, and the collection of complete and correct data resulting from the implementation of the LASR application represents the computer program coding change control issues E&Y observed. Since that time this new staff supporting the affected PMs have been educated on 1) the Ameritech Michigan performance measurements, 2) the Ameritech Michigan performance reporting process, and 3) the Ameritech Michigan change management process. They have implemented required changes to the PMs and have been effectively managing the implementation of these PMs for the past 4 months.

199. E&Y also identified that deficiencies in certain controls on the manual collection and processing of data resulted in the need for certain restatements. The nature of the processes being measured requires that certain of these require manual activities as part of a

performance measurement process. As an example, for processes being assessed where volumes of transactions are very low, it is not necessarily economically feasible or efficient to implement automated solutions for the entire performance measurement process. In those situations, data required for performance measurement might be captured manually and entered onto a spreadsheet. Data from that spreadsheet might then be manually entered into a reporting system.

200. Over the past 18 months, Ameritech Michigan has increased focus on manual performance measurement processes. Where efficient and economically feasible, those processes have been automated. Where they have not been automated, additional manual controls have been designed and implemented (e.g. process check sheets, multiple data input reviews, etc.). At the same time, these measures must be kept in perspective. Manual summarization of performance data occurs where the volume of transactions involved is not sufficient to warrant a mechanized process. The measurement categories involved here did not impact the preordering, ordering, provisioning or maintenance measures.
201. In summary, the Commission should rely upon the data presented herein, based on E&Y's Ameritech Michigan-specific performance measurements attestation examination. Overall, the issues identified by E&Y did not have a material impact on results.
202. Finally, Ameritech Michigan has engaged E&Y to perform a compliance audit subsequent to the completion of Ameritech Michigan's plans to address the issues outlined in E&Y's Attachments A and B.. The subsequent report of E&Y will be supplied to the Michigan Commission upon completion.

CONCLUSION

203. Ameritech Michigan's Performance Measurements have been implemented consistent with the Commission's orders in Case No. U-11830, and in a manner that provides accurate and reliable results. Further, the three consecutive months of performance data for June, July and August 2002 demonstrate that Ameritech Michigan is providing to CLECs nondiscriminatory access to interconnection, access to network elements and resold services in full compliance with the competitive checklist requirements of Section 271. As a result, the local market in Michigan is open to competitive entry, and CLECs have a meaningful opportunity to compete in the Michigan local exchange market.