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**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 22nd  
day of June, 1999.

In the Matter of the Application of Southwestern )  
Bell Telephone Company to Provide Notice of )  
Intent to File an Application for Authorization ) Case No. TO-99-227  
to Provide In-region InterLATA Services )  
Originating in Missouri Pursuant to Section 271 )  
of the Telecommunications Act of 1996. )

**ORDER DIRECTING PERFORMANCE MEASUREMENTS REPORT**

On November 20, 1999, Southwestern Bell Telephone Company (SWBT) filed a notification with the Missouri Public Service Commission of its intent to file an application with the Federal Communications Commission (FCC) for authorization to provide in-region interLATA services originating in Missouri. The Commission conducted a hearing in March 1999 to gather information about the status of SWBT's compliance with Section 271 of the Telecommunications Act of 1996.

There have been substantial amounts of testimony submitted regarding the necessity of performance measurements in relation to SWBT's Section 271 compliance. The Commission has determined that performance measurements will be necessary to gauge SWBT's compliance with the 14-point checklist of Section 271. At this time, the Commission has determined that it needs some additional guidance from the parties as to what performance measurements the Commission should use.

The Commission values the efforts of its Staff, the Office of the Public Counsel, and other parties in proceedings before the Commission, such as Case No. TO-97-40<sup>1</sup> where numerous performance measurements have already been set out. The Commission is also aware that SWBT has a similar Section 271 proceeding being conducted before the Public Utility Commission of Texas, in which most of the parties to this case have been involved. In the Texas proceeding, an extensive set of performance measurements has been established and the most current set of those measurements were made part of the record before this Commission. SWBT and many of the parties are also involved in other state proceedings in which performance measurements have been established. The Commission wishes to avoid the duplication of time and other resources which have gone into these other proceedings. Instead, the Commission finds that it would be beneficial to build on them.

At this time, the Commission will direct its Staff to consult with the other parties to this case and to make suggestions to the Commission regarding what performance measurements should be included in evaluating SWBT's compliance in Missouri. There are some specific items the Commission would like addressed:

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<sup>1</sup> In the Matter of AT&T Communications of the Southwest, Inc.'s Petition for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996 to Establish an Interconnection Agreement with Southwestern Bell Telephone Company.

- A. A comparison of the previous performance measurements set out in Case No. TO-97-40 with the current Texas standards. Specifically, are all of the previous Missouri standards included within the Texas performance measurements? If so, which of the Missouri standards, if any, are more strict? Are there any of the Texas performance measurements which would not apply or which would need to be adjusted for Missouri?
- B. What is the allowable variance for success of each performance measurement?
- C. Which performance measurements are regional<sup>2</sup> in nature? Are the regional measurements currently being validated in another state's process? If so, is Missouri data being used? And what company or agency is conducting the validation?

The Commission will direct its Staff to answer these questions and to present a list of suggested performance measurements to the Commission.

**IT IS THEREFORE ORDERED:**

1. The Staff of the Missouri Public Service Commission shall make a reasonable effort to consult with the other parties to this case

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<sup>2</sup> SWBT's territory covers a five-state region including: Missouri, Kansas, Arkansas, Oklahoma, and Texas.

and submit a report to the Commission no later than July 22, 1999, addressing what performance measurements should be applied by the Commission to determine Southwestern Bell Telephone Company's compliance with the 14-point checklist of Section 271 of the Telecommunications Act of 1996.

2. That this order shall become effective on June 25, 1999.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Crumpton, Drainer,  
Murray and Schemenauer, CC., concur.

Dippell, Senior Regulatory Law Judge