

# Memorandum

**To:** Official Case File

Case No. TO-99-227

**From:** Walt Cecil

**Date:** April 5, 2005

**Re:** Southwestern Bell Telephone, L.P. d/b/a SBC—Missouri Performance Metric  
Results Report For January 2005

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On March 21, 2005 SBC Missouri (SBC) submitted performance measurement results for the month of January 2005 and the three-month rolling time period ending January 2005. The report indicates:

- During the month January 2005, SBC monitored 1,239 submeasurements.
- Based on activity, SBC analyzed 336 submeasurements of which SBC successfully met 321 yielding an all measures success rate of 95.5%. By way of comparison, in January 2004, SBC monitored 1,454 submeasurements and experienced a success rate of 95.8% for the 382 that it analyzed. During the twelve month period ending January 2005, SBC has achieved monthly success rates ranging from 93.1% (December 2004) to 96.8% (October 2004).
- For the November 2004-to-January 2005 period, SBC reported a rolling three-month period all-measures success rate of 96.7%. This percentage indicates that for the submeasurements analyzed, SBC met 96.7% of those submeasurements in at least two of the three months. Eleven submetrics were missed in at least two of the three months during this three-month reporting period, eight of which are subject to credits and/or payments to competitive local exchange carriers and/or the State of Missouri. The data reported for the same three-month period last year indicated a success rate of 96.8% and twelve missed submetrics in at least two of the three months.
- As a result of missing Tier I performance metrics in January 2005, SBC credited an aggregate of \$6,775 to competitors providing service in Missouri. As a result of missing Tier II performance metrics for the rolling period November 2004-January 2005, SBC remitted a \$6,000 assessment to the State of Missouri. For the

past twelve months Tier I credits to competitors have averaged about \$99,275 per month while Tier II payments to the state have averaged about \$21,750 per month. Since inception of the plan, Tier I credits and Tier II payments total \$6,991,553.

The M2A expired on March 6, 2005. Under the negotiation/arbitration provisions of the M2A, SBC extended the terms and conditions of the M2A to July 19, 2005 for those CLECs that were either operating or requested operation under the M2A on or before March 5, 2005. Some of the terms and conditions of the M2A were amended pursuant to the FCC's rules for the unbundled network element platform (UNE-P), loops and transport or were addressed in the Commission's March 17, 2005 *Order Regarding Continued Provisioning of Service* in Case No. TC-2005-0294.

There are approximately 70 CLECs operating under the M2A. The negotiation process for the M2A successor agreement(s) began September 6, 2004 and the arbitration window closed March 31, 2005. SBC will continue to file monthly performance monitoring reports and make Tier I credits to the negotiating/arbitrating CLECs and Tier II payments to the state at least until June 30, 2005.