



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

L-00030163

RECEIVED

MAY 19 2008

May 16, 2008

TO: All local service providers (LSPs) and all network service providers (NSPs) operating in Pennsylvania

RE: **Migration Guidelines for Changing Local Service Providers**¹

During the collaborative process leading to adoption of the changing LSPs regulations, 52 Pa. Code §§ 63.191 – 63.222, participating LSPs and NSPs contemplated adopting PA-specific “migration guidelines.”² This Secretarial letter recognizes that the LSPs and NSPs participating in the PA Carrier Working Group (CWG)³ have indicated that there are no further plans at this time to develop a PA-specific migration guidelines document (alternatively referred to as “LSOG documentation”). Accordingly, this letter is to advise that the Commission has terminated the formal migration guidelines matter contemplated in the order entered May 5, 2005, at Docket No. L-00030163. Interested industry participants are free to resume discussions in the future if they so choose.

The task of developing the PA-specific migration guidelines was formally assigned to the PA CWG. Collaboration in the PA CWG on migration guidelines had actually begun prior to the promulgation of the changing LSPs regulations. The PA CWG diligently tried for more than four years to formulate such a document as well as a procedure to keep it

¹ This issue was addressed in the Commission’s rulemaking *Changing Local Service Providers* at Docket No. L-00030163, which set forth an orderly process for migration of customers between telecommunications service providers. See <http://www.puc.state.pa.us/PcDocs/541323.doc>.

² This is memorialized in the May 5, 2005 order at Docket No. L-00030163, page 15:

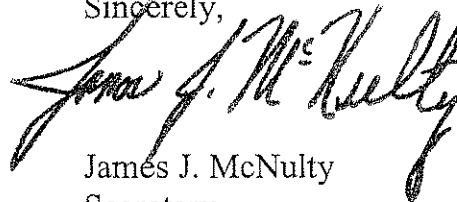
This aspect of the proposed regulations received considerable attention during the collaboratives. While there were challenges during the collaboratives, it appeared that there was substantial interest in developing a consensus document that would not take years to amend [as would regulations] yet could be recognized as addressing, in a standard, concise, timely, and uniform fashion, the myriad questions regarding migration as processes and systems evolve. As a result, the proposed [section on migration guidelines] was designed to facilitate this process. We received, however, a number of comments about the proposed migration guidelines and industry work group provisions. These comments led us to delete [the reference to migration guidelines] from the final-form regulations. Nevertheless, we remain firm in our commitment to encourage the formation of an industry working group that will formulate industry guidelines to identify and address the myriad and evolving intricate details associated with customer migrations within this technologically evolving industry.

³ The PA CWG was established in 2002 to informally address metrics and remedies matters between Verizon-PA and its wholesale customers, pursuant to the Commission’s December 10, 2002 *PMO II Order* at Docket No. M-00011468. Meetings are facilitated by a CLEC chairperson with assistance from representatives of the Commission’s Bureau of Fixed Utility Services (FUS) and Law Bureau. The PA CWG also participates in Verizon-footprint-wide working groups.

current. The PA CWG ultimately reached the conclusion that such a PA-specific document is neither practical nor necessary, especially considering that many intercarrier initiatives and operations now have Verizon-footprint-wide implications. The PA CWG has, therefore, terminated all further efforts to develop such a Pennsylvania-specific document for the foreseeable future.

Notwithstanding the termination of formal consideration of this matter, industry participants are reminded that should migration disputes arise, they may be able to resolve them informally through the PA CWG, the OP-12 Forum,⁴ or the Commission's nonadversarial, expedited dispute process for inter-carrier migration disputes.⁵ These processes are informal and cannot be compelled. If the involved service providers do not agree to work within the constraints of these informal processes, they have immediate recourse to the Commission's formal mediation and formal complaint processes.⁶ Service providers are free to take unresolved matters to formal mediation or the formal complaint process at any time. Please address any technical questions in this matter to Rich Layton at 717-214-9117 or rlayton@state.pa.us. Legal or policy questions should be addressed to Louise Fink Smith at 717-787-8866 or finksmith@state.pa.us.

Sincerely,



James J. McNulty
Secretary

cc: Karen Oill Moury, Director of Operations
Bohdan R. Pankiw, Chief Counsel
Robert F. Wilson, Director, FUS
PTA
Service List Docket No. L-00030163
Service List Docket No. M-00011468
PUC Website

⁴ The OP-12 Forum was established in 2002 to informally resolve disputes arising between Verizon-PA and its wholesale customers concerning operational and performance issues, pursuant to Ordering Paragraph 12 of the Commission's April 11, 2001 *Functional/Structural Separation Order* at Docket No. M-00001353. Meetings are mediated by the Commission's Director of Operations, with assistance from representatives of FUS and the Law Bureau.

⁵ See <http://www.puc.state.pa.us/PcDocs/623791.doc> for information on the Commission's Nonadversarial, Expedited Dispute Process for Inter-Carrier Migration Disputes.

⁶ See <http://www.puc.state.pa.us/general/filecomplaints.aspx> for information on the Commission's formal mediation and formal complaint processes.