

# **FairPoint Communications**

## **Provisional Notice of Cutover Readiness And Rebuttal**

### **I. Introduction**

Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE and Telephone Operating Company of Vermont LLC (hereinafter and collectively "FairPoint") hereby submits their Provisional Notice of Cutover Readiness.

After reviewing our own internal processes and systems and carefully and thoughtfully assessing the FairPoint Cutover Monitoring Status Report ("Report") issued by Liberty Consulting Group ("Liberty") on November 12, 2008, and any and all other relevant information available, FairPoint believes that it will be ready by November 30, 2008 to file an irrevocable notice of cutover readiness with Verizon.

FairPoint would also like to take the opportunity to comment briefly on the Liberty Report in the context of the stringent Assessment of FairPoint's Cutover Readiness Verification Plan ("Verification Plan") that Liberty issued on August 15, 2008. The Verification Plan sets forth the agreed upon criteria to be used for evaluating cutover readiness and was developed to ensure that all constituents and customers would be well served by FairPoint's new systems and processes.

In Liberty's November 2008 Report, it concluded that "FairPoint has demonstrated satisfaction of the cutover readiness criteria in all areas except CLEC testing, business process documentation, and training." Liberty goes on to say that it "believes that the status of business process development and training is sufficiently advanced to support a conclusion that the lack of complete satisfaction of these cutover readiness criteria does not constitute a significant impediment to FairPoint's declaring cutover readiness."

The Report states that "there is further work that FairPoint must complete in order to satisfy the CLEC testing cutover readiness criteria." Liberty concluded, however, that "with continued diligence by FairPoint and full cooperation from the wholesale customers, Liberty believes that it is feasible for FairPoint to demonstrate sufficient satisfaction of the CLEC testing cutover criteria in a few more weeks."

While FairPoint concurs that additional testing for the CLECs should and will continue, FairPoint believes that the testing to date has already exceeded the requirements as defined in the Verification Plan and that FairPoint's undertaking to provide additional testing should not be an added requirement for cutover readiness with potential to delay the cutover.

## II. Compliance With the Verification Plan

On May 21, 2008 Liberty issued its initial draft of the Verification Plan. This plan detailed the cutover readiness criteria Liberty would use to assess FairPoint's ability to cut over and run its operations utilizing FairPoint's new systems and processes. This draft plan was sent to the staffs of the Maine Public Utilities Commission, New Hampshire Public Utilities Commission and Vermont Department of Public Service, as well as to FairPoint and other interested parties, including the CLECs served by FairPoint in these three states. Liberty received comments from all interested parties to insure that the criteria and testing that would be utilized to determine cutover readiness were sufficient and complete. This process resulted in the issuance by Liberty on August 15, 2008 of the final Verification Plan that would be utilized to determine cutover readiness.

The final Verification Plan defined the CLEC testing criteria as follows:

“A special set of test scenarios that might be considered a type of UAT are the CLEC tests. These are tests performed either by volunteer CLECs using the FairPoint wholesale GUI interface application or by CLECs seeking certification for establishing an e-bonded connection with the FairPoint wholesale interface. FairPoint has provided for these tests a set of test scenarios covering a wide range of CLEC functions from which the CLECs will choose a subset to include in their tests. FairPoint has also been holding monthly meetings with the wholesale carriers since November 2007, and Liberty has attended them. At these meetings, among other areas of interest to the wholesale carriers, FairPoint has provided information on and received and responded to input from the carriers about cutover status and the status of the test plans and schedules on its wholesale website. In addition, the FairPoint account team has been in direct contact with the carriers to discuss their interface requirements, testing requirements and other concerns. Liberty believes that through these means, FairPoint has provided adequate notice to the wholesale community about the cutover process and the testing plans and schedules.” (Emphasis added.)

The Verification Plan further stated regarding CLEC testing:

“Liberty's draft report issued in May, noted a number of important functional areas that still were missing sufficient test cases. Since that time, Capgemini and FairPoint have added a large number of additional test cases and modified existing test cases in order to fill the gaps that Liberty noted. Liberty now believes the test cases provide sufficient coverage of the key functions to test the new systems.” (Emphasis added.)

Based on its own internal analysis, the recommendations of Capgemini, comments from Liberty and discussions with wholesale customers, FairPoint established a test plan for CLEC testing.

The test array contemplated in the Verification Plan included 85 test scenarios. FairPoint continued to communicate with wholesale customers during the testing process. After testing was started, based upon input from CLECs, FairPoint agreed to add an additional 17 test scenarios for a total of 102 test scenarios. The additional tests were offered as further support for wholesale customers in the cutover transition process and provide what FairPoint believes is an accommodation that went beyond the cutover readiness criteria set forth in the Verification Plan.

In addition, Liberty has recommended in its November Report that FairPoint complete the following items to meet the CLEC testing cutover criterion:

- Add and allow the CLECs to execute additional test cases that would provide coverage of the scenarios that are most important for EDI users.
- Internally test or provide a means for CLECs to test all forms of EDI response messages, including those that can originate in the back-end systems, such as rejects, jeopardy notices, provisioning completion notices, billing completion notices, and design layout records.
- Provide evidence to Liberty that the CLEC testing scenarios sufficiently mirror the historical range of wholesale transactions in the Northern New England states.

In addition, FairPoint should:

- Modify its hot cut process to address the concerns raised by the CLECs, providing an acceptable workaround by cutover and a more permanent solution after cutover.
- Assure that all defects are correctly identified and have assigned fix dates or acceptable workarounds, including those associated with the DUF files.

FairPoint has reached out to the wholesale customers processing orders via the eBonded interface and has identified the additional test cases which it believes will be necessary to complete the CLEC testing as recommended by Liberty. The request is for an additional 7 test scenarios and 2 added scenarios to test EDI responses from the back-end systems. FairPoint has gathered the data necessary to perform these tests and is in the process of constructing these tests for CLEC acceptance testing.

These test cases will address functionality that FairPoint customers have identified as necessary to be able to perform in their respective businesses. These will include directory, hot cut and LNP processes and test scenarios. With these additional processes and test scenarios, along with the 102 others already in the test deck, FairPoint believes it will have covered all major order volumes that are anticipated.

In addition, FairPoint has a remedy to address both the immediate and long term concerns surrounding the hot cut service. These functions will be provided by FairPoint's Regional Operations Center. This team will place an out bound call to each CLEC approximately one hour prior to the start of their hot cut. This will allow the wholesale customer the ability to provide a go/no-go response. Then the team will again contact the customer if during the dial tone test there is no dial tone for a

determination from the customer if they want to continue the hot cut. Finally, FairPoint will suppress the additional local response which was to be provided. The long term remedy is for a system based on the wholesale portal which will provide the wholesale customers with the resources to communicate throughout the hot cut process with FairPoint. The customers will be able to verify they are ready to proceed and watch the hot cut as it flows throughout the provisioning process. This remedy is in development.

FairPoint is committed to ensuring that all defects are resolved. FairPoint continues to work with all wholesale customers on connectivity issues including the transfer of DUF files.

Thus, while FairPoint remains prepared to complete all of the recommendations set forth in the Report, including the remaining additional CLEC tests, FairPoint believes that it has satisfied the CLEC testing criteria set forth in the Verification Plan to proceed with cutover.

Specifically, the November Liberty analysis of the testing showed the following:

1. Have 100 percent of the tests been executed? Liberty concluded that several CLEC users have indicated that they still have not been able to run test cases that are crucial to their business. Hence Liberty “cannot conclude that FairPoint has satisfied this cutover criterion at the present time.” FairPoint believes it has satisfied this criterion. All tests (100%) defined in the Verification Plan and even additional tests that were added in the past several weeks have been executed.
2. Are there no severity 1 defects and no severity 2 defects without manual workarounds? Liberty notes that as of November there are eight open defects, none of which are severity 1 or 2 defects, and FairPoint reports that all these defects have been fixed and are ready to be retested by the CLEC testers. Liberty also states that there are some discrepancies between the results reported by the wholesale users and FairPoint. FairPoint agrees that these discrepancies need to be reconciled and believes that at this date they have been. FairPoint will provide confirmation to Liberty of the reconciliation. Liberty also notes that additional testing and change requests are underway and suggests that these items require verification of no severity 1 or severity 2 defects. Although FairPoint continues to enhance the testing, all tests at the time of the Verification Plan have been completed without severity 1 or severity 2 defects and, therefore, FairPoint believes it has met these criteria.
3. Does the cumulative effect of manual workarounds across all operational support systems testing require additional workforce with equivalent headcount of no more than 50? Liberty cannot conclude that FairPoint met

this criterion based on the additional CLEC testing requested by CLECs. However, the critical determination is whether FairPoint has met all the tests that were part of the Verification Plan. FairPoint has met this criterion.

4. Do all defects have assigned target fix dates? Again, the November 2008 Report strays from the Verification Plan. Liberty cannot conclude that FairPoint has met the criterion based on new proposed tests. FairPoint has met the Verification Plan standard.
5. Have all manual workarounds been incorporated into methods and procedures development and tracked? For the reasons mentioned above FairPoint has met this cutover criterion.

### **III. Conclusion**

It should be emphasized that FairPoint recognizes Liberty's expertise and diligence in this project, and does not disagree with Liberty's recommendation to increase the number of tests available to the CLECs and continue testing into January 2009 when the systems will need to be frozen to be prepared for production. FairPoint only disagrees with Liberty on whether FairPoint has reached readiness criteria. FairPoint submits that it has met all established criteria.

In conclusion, FairPoint stresses that there are clear benefits to FairPoint and its customers to be achieved from moving to its new systems. This transition will allow FairPoint to increase its competitive position in the market, introduce new products and services and deliver service to both wholesale and retail customers at an enhanced level. It is with this high level of consideration and confidence that FairPoint declares provisional notice of readiness at this time.