

---

**From:** Garrett, Doug  
**Sent:** Wednesday, August 09, 2000 4:18 PM  
**To:** 'thomas.aiis.harvey@ameritech.com'  
**Cc:** Harris, Glenn; Berrio, Itzel; Spradley, Ella; Whitley, Jack; Tinnin, Jacqueline; Grivich, James  
**Subject:** Cooperative Acceptance Local Loop Testing

Thomas:

I'm sending this e-mail to summarize NorthPoint's earlier discussions with you and to make sure that we are clear on NorthPoint's expectations for cooperative acceptance local loop testing. In addition, I am confirming my prior requests that Ameritech respond in writing to NorthPoint's proposals, and clarifying that I would appreciate a written response by August 15, 2000.

As early as March 29 this year, you and I discussed the situation that existed with regard to Ameritech's then refusal to cooperatively test local loops ordered by NorthPoint. This refusal, and the subsequent failure by Ameritech to implement cooperative testing as agreed, have made it extremely difficult and costly for NorthPoint to conduct business in the Ameritech region.

During the March 29 discussion, we agreed to an executive level meeting that was held on April 19 in Chicago. At the meeting, which was attended by Kirk Brannock, Caryn Moir, Roland Thornton in addition to you and your team, Ameritech gave NorthPoint a schedule for implementing cooperative acceptance testing throughout the Ameritech region. That schedule stated that Ameritech would begin cooperative acceptance testing as soon as April 15 in Ohio and would fully implement testing in all Ameritech states no later than July 1, 2000. During the meeting, we were disappointed to learn that Ameritech proposed to initially limit these cooperative tests to "non cut-through" circuits. The majority of the loops ordered by NorthPoint from Ameritech are "cut-through" circuits. For this reason, we expressly requested tests on all loops. Furthermore, our experience had been that Ameritech's database of such circuits was inaccurate and that far too many of these loops were not, in fact, installed as requested. As a result, NorthPoint was forced to issue trouble tickets, sometimes repeatedly, just to get Ameritech to complete the installation of these loops.

Caryn Moir agreed in the meeting to reconsider NorthPoint's request, and everyone agreed that within two weeks of the April 19 meeting that Ameritech would respond to NorthPoint regarding its ability to implement full cooperative testing. By mid-May, Ameritech had responded with its assent to cooperatively test all local loops, providing that NorthPoint agreed to pay Ameritech's standard dispatch charge for such testing.

Since that time, NorthPoint has been attempting to get Ameritech's compliance with the cooperative testing process to little avail. The rate of cooperative test calls received in NorthPoint's installation centers has been abysmal - often as low as 5-10% of the local loops scheduled. On July 1, I left a message for John Stankey expressing our frustration with the lack of progress in implementing a process that was essential to NorthPoint's ability to grow its business in the Ameritech region. In that message I further indicated that our (and our customers') frustration was so severe that we felt we had no choice but to file a formal complaint with regulators.

In a conversation with John on July 5, he indicated that Ameritech would be willing to re-train all installers on the proper procedures for local loop cooperative acceptance testing and to train all order handling personnel on the correct procedures to ensure that NorthPoint's orders included instructions to Ameritech field technicians to conduct a cooperative acceptance test on each installed loop. I told John during that conversation that NorthPoint would also need Ameritech's agreement that on those installations Ameritech failed to call to conduct a cooperative acceptance test, that NorthPoint would issue a "trouble ticket" requesting a subsequent dispatch to conduct the test, and that Ameritech would waive any charges associated with that dispatch. In our view, that was the only remedy sufficient to cause Ameritech to comply quickly with the agreement. John indicated he would get back to me with Ameritech's response.

Subsequent to this discussion, John apparently delegated to you the follow up requirements and you and I exchanged several calls between July 12 and July 25. On July 25, you and I spoke at length about the conditions that would keep NorthPoint from filing a complaint with regulators. I told you that NorthPoint wanted several items implemented and goals established to measure the effectiveness of Ameritech's implementation of cooperative testing. Those conditions were:

- Ameritech would, within 30 days from August 1 be calling to cooperatively test NorthPoint's local loops at least 75% of the time on the scheduled due date. Within 60 days of August 1, this level would reach 85%. NorthPoint would agree to answer these calls and begin the testing within 5 minutes.
- On all loop installations where Ameritech failed to call to conduct a cooperative test, NorthPoint could open a trouble ticket to schedule a dispatch by Ameritech to complete the cooperative test and, when we do so, Ameritech would waive any charges for this dispatch.
- NorthPoint and Ameritech would implement a process (known as a FOC-, FOC+ process) whereby the companies would exchange daily lists of local loop orders scheduled for installation and would reconcile those lists before the due date. Subsequent to the due date, lists would be exchanged showing the disposition of the orders and the expected

resolution date for any that were not completed. NorthPoint provided Ameritech with examples of these lists in use with another ILEC.

On August 2 you left me a voice mail message indicating that Ameritech would agree to the targets for cooperative test compliance, but no information was given about the other items. On August 4 I left you a message in which I requested that we reach a complete understanding on all the above items. On August 7 we again spoke live and you indicated that Ameritech did not want to agree to waive the dispatch charges where it had failed to cooperatively test. The reason you gave was that since Ameritech would have charged for a dispatch if it had cooperatively tested on the due date, it should be able to charge on a subsequent dispatch. I repeated our earlier position that this would remove any incentive that Ameritech had to comply with the agreement to test, and that given Ameritech's past and current performance, this would be unacceptable to NorthPoint.

It is our understanding and expectation that Ameritech will not begin charging for local loop cooperative acceptance testing dispatches until it meets the minimum threshold of 75% on the due date described above. We also expect that we will begin discussions next week leading to implementation of the FOC-, FOC+ process no later than September 1, 2000. NorthPoint's expectation is that all of these agreements must be implemented in order for Ameritech to provide NorthPoint an acceptable level of service from Ameritech.

Please to contact me by August 15 at (510) 985-6968 or reply to this e-mail if you disagree with or wish to discuss any of these areas further. Thank you.

Doug

**Doug Garrett**

Vice President Service Provisioning  
NorthPoint Communications  
6121 Hollis St., Emeryville, CA 94608

Phone: (510) 985-6968  
Fax: (510) 985-6000  
e-mail: dgarrett@northpoint.net  
www.northpoint.net



**NorthPoint**