STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on November 28, 2001

COMMISSIONERS PRESENT:

Maureen O. Helmer, Chairman
Thomas J. Dunleavy
James D. Bennett
Leonard A. Weiss

CASE 00-C-0188 – Proceeding on Motion of the Commission to Examine the Migration of Customers Between Local Carriers.

ORDER ADOPTING MASS MIGRATION GUIDELINES

(Issued and Effective December 4, 2001)

BY THE COMMISSION:

BACKGROUND

On January 8, 2001, the Commission issued an order adopting guidelines governing the migration of customers between competitive local exchange carriers (CLECs) and from CLECs to Verizon New York Inc. (Verizon). Those End User Migration Guidelines - CLEC-to-CLEC consist of a statement of general principles, a delineation of customer migration responsibilities of carriers, and methods for exchanging customer service information.

However, these carrier-to-carrier migration procedures address normal service ordering situations, but not those where telecommunications providers go out of business, file for bankruptcy, or otherwise terminate service in some or all markets in New York State. Therefore, Administrative Law Judge Eleanor Stein requested the parties to turn their attention to developing guidelines to ensure, as far as possible, adequate notice to customers and an orderly transition in these situations, otherwise known as mass migrations. Thereafter, with the facilitation of Department Staff, parties developed Mass Migration Guidelines.

The objective of the Guidelines is to provide customers of a carrier discontinuing local exchange services the opportunity to migrate to another local exchange carrier without interruption of service. The Guidelines provide for notification to regulators, the industry, and customers and detail project management processes for the network provider and the local exchange carriers shedding or acquiring customers. They include procedures in the event customers fail to choose a new carrier; sample customer notification letters; and definitions of project management roles and responsibilities.

COMMENTS

By Notice issued August 27, 2001, the Commission invited comments from the public and all interested parties on the proposed Mass Migration Guidelines. Comments were due on or before October 1, 2001.

Comments were submitted by Verizon New York, Inc. (Verizon); the Office of the Attorney General of the State of New York (OAG); Frontier Telephone of Rochester, Inc. and its affiliated local exchange carriers, Citizens Telecommunications Company of New York, Inc., Frontier Communications of New York, Inc., Frontier Communications of Sylvan Lake, Inc., Frontier Communications of Ausable Valley, Inc. and Frontier Communications of Seneca-Gorham, Inc. (collectively, Frontier); the New York State Telecommunications Association, Inc., (NYSTA); WorldCom, Inc. (WorldCom) and XO New York, Inc. (XO). All of those submitting comments generally support the guidelines. Several parties made specific suggestions for modification or clarification of the guidelines. We discuss each of these issues below.

DISCUSSION

Mandatory vs. Advisory Guidelines

In its comments, the OAG states that the greatest shortcoming of the proposed Guidelines is that they are largely advisory. The OAG points out that, throughout the proposed guidelines, CLECs are told what steps they “should” take in various situations, rather than what they “must” do. The OAG urges the Commission to revise the text to replace “should” with “shall” and to adopt the Guidelines’ requirements as formal regulations or otherwise order all carriers doing business in New York to comply.

Balanced against the OAG’s desire for mandatory rules are WorldCom’s comments, which hail the flexibility of the Guidelines and their recognition that “there will be circumstances where the framework outlined in these guidelines will need to be modified to accommodate unique circumstances.” WorldCom notes that a carrier exiting the local exchange services market is often in dire circumstances. Therefore, flexibility is critical to give carriers the ability to handle the complexities of a mass migration in a way that best meets their business needs and capabilities. WorldCom asserts that the Guidelines reflect a delicate balance between the need for procedural certainty and this business flexibility.

We believe that the Guidelines can and should be made mandatory, as the OAG proposes, without sacrificing the flexibility contained in them. We agree with the OAG that our consideration of the Guidelines and formal adoption of them by Commission order is an important means of facilitating migrations and thereby benefiting the competitive market and consumers. Consequently, by this order, we require all carriers to comply with their provisions. We have revised the Guidelines as proposed to replace the word “should” with a clearer directive that carriers “must” follow the particular provision.

Most of the provisions that were worded as “should” and about which the OAG complains relate to notice requirements. The collaborative group that devised the Guidelines based the notice provisions -- the 90-day notice to this Commission, the subsequent notice to the industry, the 60-day notice to end-use customers by the exiting CLEC, and the 30-day notice to customers by an acquiring CLEC -- on the technical requirements of CLEC-to-CLEC migration in New York. The Guidelines reflect the industry judgment that such notice periods are essential if all affected customers are to be migrated seamlessly with no loss of service.

We will make these notice periods mandatory, but we will allow for variation from them upon an adequate showing by a CLEC that it cannot meet the notice periods. In this way, we set a presumption that the notice periods must be met, and place a burden on the CLEC who cannot comply with them to demonstrate why it must deviate from the Guidelines. We will expect this showing to be made when a carrier files a notice that is not in compliance with the time periods required by these Guidelines. Where good cause is demonstrated, we will expect Staff to work with the migration project managers to facilitate the migration within the more limited period afforded in unique circumstances. In an egregious case, where it appears that a CLEC does not have a bona fide excuse for its failure to provide the full notice period as required by the Guidelines, Staff may refer the matter to the Commission for appropriate enforcement action.

We believe this modification to the Guidelines properly balances the need for a smooth transition of service with legitimate needs of an exiting CLEC in unique circumstances. CLECs must make every effort to anticipate their business circumstances and their ability to service their customers such that they can provide adequate notice when it becomes necessary to terminate that service. However, we recognize that there may be circumstances in which a CLEC can show good cause to provide less than the standard notice.

We recognize that these Guidelines require earlier notice to customers by a carrier exiting the market than the notice presumed by federal regulations, 47 C.F.R. Section 63.71. The federal regulation provides that authority to discontinue service will be granted automatically 30 days after notice is given to end users, absent a showing that an affected customer will be unable to receive substitute service or the public convenience and necessity is otherwise adversely affected. There is no federal-state conflict here, since carriers can comply with both sets of obligations.

While we modify the notice requirements to make their mandatory nature clear, we will retain the flexibility language cited by WorldCom. That language refers specifically to the project management process, which can indeed be modified by the involved parties without running afoul of our order. The project management process reflected in the Guidelines is inherently flexible, and our adoption of it by order is not intended to impair that inherent flexibility.

We note also that it is important for this Commission to adopt these Guidelines as having the full force and effect of a Commission order to maintain consistency with the CLEC-to-CLEC End-User Migration Guidelines previously approved by us. We have followed the same process –- development of draft Guidelines through a collaborative process, issuance for comment by all parties potentially affected by them, and formal adoption by Commission order -- in both cases. The Guidelines that govern migration in the ordinary course of business were clearly intended to have the force and effect of Commission order and so state. We see no reason to deviate from our prior precedent with respect to the Mass Migration Guidelines.

Right To Terminate Wholesale Service

Frontier requests that the guidelines be modified to clarify that, during the period of mass migration notification and transition, the Incumbent Local Exchange Carrier (ILEC) retains its right to deny service to a CLEC for nonpayment pursuant to the provisions of its tariff. Frontier urges that the Guidelines not be "interpreted to mean that during the entire notification and transition period, the ILEC providing underlying service to a CLEC exiting the market will be required to underwrite the CLEC's failed business plan wholly at the ILEC's expense." Often, a financially troubled CLEC exiting the market is at risk for denial of service from the underlying wholesale provider due to non-payment.[1] Verizon joins in supporting Frontier's request that the Guidelines be clarified as not imposing any new obligations upon ILECs to continue service in these circumstances. Similarly, NYSTA states its presumption that the Guidelines are "not meant to supercede the financial and/or business obligations between carriers."

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[1] Similarly, a CLEC may be at risk for termination of other services or repossession of equipment due to defaults in obligations to other creditors, such that its ability to provide service to its customers is impaired.

While we see no need to modify the Guidelines themselves, we will make the requested clarification here. The Guidelines should not be interpreted to impose any new obligations upon ILECs or other creditors to continue services to a defaulting CLEC, merely so that the CLEC's customers will have adequate notice during the transition period. Rather, the obligations impose a burden on all CLECs to arrange and conduct their business affairs in such a way that they can meet the notice and other obligations of these Guidelines at their own expense and risk. Carriers must ensure that, in negotiating or accepting default provisions in their business arrangements with other carriers and service providers, they receive adequate notice of default that will enable them, in turn, to provide adequate notice to their own customers, pursuant to these Guidelines.

Soft Dial Tone Period and Customer Duty to Notify

In a case where there is no acquiring carrier, customers must affirmatively arrange for new service. In all cases other than resale, a customer failing to select a new provider will likely lose all service at the termination date. To guarantee that customers fully appreciate the consequences of a failure to act, the Guidelines provide that the exiting carrier must place the customer on "soft dial tone." The soft dial tone does not permit the customer to receive or make calls other than those to 911 and the carrier's business office. The customer hears a recording notifying him that he must call the business office, which will then advise him of the need to arrange for new service.

Verizon, in its comments, addresses the failure of the Guidelines to indicate the timeframe for application of soft dial tone. Verizon recommends the soft dial tone be placed on affected lines for 10 days prior to the exiting CLEC’s final termination. We are advised that this 10-day period is consistent with the expectations of the collaborative group discussing the issue, although it is not specified in the Guidelines. We will accept Verizon’s recommendation and insert the 10-day requirement into the soft dial tone provision.

Other than clarifying the period for soft dial tone, we do not see the need to make the further change recommended by the OAG, namely, that of requiring customers to notify their exiting carrier that they have obtained new service, to avoid being placed on soft dial tone. First, the window of time for a customer to select a new carrier is not as narrow as the OAG asserts. The carrier is required to give 60 days’ notice of its exit, and the recommended cut-off date for selecting a new carrier is 30 days later. With the 10-day soft dial tone period we adopt here, there remain 20 days for the new carrier to submit its order.

More importantly, the scheme represented by the Guidelines represents an effort by the industry to manage migrations between carriers with a minimal burden upon customers. If the process outlined in the Guidelines is followed, carriers will be on notice that a given carrier is exiting the market and will take pains to notify the exiting carrier that they have acquired one of its former customers. Certainly there is no harm in a customer passing along the information, and carriers may include in their notices a request to customers to follow up with direct notification. However, we will not require that carriers include such directives in their notices.

Additional Customer Obligation to Notify

OAG makes the same recommendation with respect to customers who “opt out” of a migration to an acquiring carrier. The OAG suggests that we require carriers to advise their customers to inform their new carrier that they are part of a mass migration and to identify their former carrier. Again, the carrier should already be on notice of these facts pursuant to the regulatory and industry notice required by the Guidelines. Customers should not be burdened with providing information that carriers have a duty to monitor themselves. Therefore, we will decline to make the changes proposed by the OAG in this regard.

Service Quality Waivers

The Guidelines currently provide that, where a CLEC agrees to acquire all of an exiting CLEC’s New York customers, the acquiring CLEC should sign a waiver letter absolving Verizon from performance measurements relating to these customer migrations. The OAG asserts that Verizon’s service quality performance should not be waived automatically when Verizon is involved in a mass migration. The OAG asserts that the waiver should not apply to small migrations and recommends that the Commission establish a minimum threshold of lines being cut over, below which the waiver would not apply. Alternatively, the OAG suggests that the waiver be granted by Commission Staff on a case-by-case basis.

The OAG’s comments highlight the fact that this provision in the Guidelines may not be necessary in each instance. While a process in which Commission Staff grants a waiver on a case-by-case basis might tailor such waivers more narrowly to the facts in a particular instance, it adds another administrative step in a process where time is of the essence. In the alternative, establishing a minimum threshold for such a waiver would be difficult, because different types of serving arrangements have different degrees of complexity. On balance, the waiver seems to be a workable means of managing a migration, and we will let the Guidelines stand for now. We rely additionally on the fact that many CLECs participated in the collaborative effort to devise this provision, and none has commented that the waiver is a problem. Nevertheless, as we gain experience with mass migrations, we may review this waiver provision in the future to ensure that it is not having an undue negative impact on wholesale provisioning.

Application To DSL Service

Covad addressed its comments to the application of the Guidelines to DSL service. We clarify here that these Guidelines apply only to migrations of voice service. A separate collaborative is addressing DSL migrations. Covad's comments will be submitted to the DSL collaborative for consideration in that proceeding.

CONCLUSION

We commend the parties who participated collaboratively to develop these Mass Migration Guidelines. We are confident that they will provide a much-needed degree of certainty and predictability to the process, while affording the flexibility necessary to deal with a variety of business and technical constraints. The adoption of these guidelines, pursuant to our authority under Public Service Law Sections 91(1), 92-e, 94(2), and 96(1), will enhance the functioning of the competitive market in New York State and protect New York consumers from service disruptions. We will approve the Guidelines consistent with the discussion in this order and adopt them so that they have the full force and effect of our order.

The Commission orders:

1. The attached Mass Migration Guidelines, modified to reflect the discussion in this order, are approved and adopted as if fully set forth in this order.

2. All certificated telecommunications carriers doing business in New York State are ordered to comply with these Mass Migration Guidelines.

3. This proceeding is continued.

By the Commission,

(SIGNED) JANET HAND DEIXLER
Secretary

Mass Migration Guidelines

These guidelines were developed through a collaborative process by representatives from the industry. The guidelines are to be used when a CLEC is exiting the local exchange services market, or a portion of its market, and has a significant customer base to migrate to other carriers. Such a mass migration will require special cutover procedures to accommodate a large number of service orders over a short period of time. Specifically, carriers will need to suspend normal order processing for the customers involved in a mass migration and follow the processes outlined in these guidelines.

Revised and Ordered
by the New York Public Service Commission,
November 28, 2001

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I. Objective

When a carrier discontinues local exchange services, the customers of that carrier must have the opportunity to migrate to another local exchange carrier without interruption of service.

II. General Principles

The goals of a mass migration are to:

1. Ensure the customer does not lose service
2. Maintain the ability of regulators to monitor events and assist parties if needed.
3. Avoid double migrations whenever possible. Double migrations are generally the product of timing constraints where the customer is migrated to the default or acquiring carrier, and then to the carrier of the customer's choice.
4. Ensure that customers are provided ample notification to allow the customer to select the carrier of their choice.
5. Comply with federal and state laws and regulations.
6. Coordinate information flow and activities through a project management team.
7. Ensure that the exiting CLEC provides sufficient network information for the acquiring CLEC(s) to migrate its customers seamlessly.

III. Regulatory Notification

Both the FCC & PSC require notification from any company that will no longer be serving customers in a particular market. In addition, the company must file supplements to either cancel or modify its tariffs as well as plans for transferring customers and preventing slamming problems. Further, the PSC requires the company to notify the Commission 90 days in advance of discontinuing service or, upon a showing that 90 days' notice is not feasible, at the earliest possible date.

The exit plan filed with the PSC must include:

- A sample of the letter to be sent to the customers
- A final termination date

- A cutoff date when customers must select a carrier
- A contact number for the cutover coordinator
- Any arrangements made for an acquiring carrier
- Steps taken with the number code and/or pooling administrator to transfer NXX or thousand number blocks (if applicable)
- The current customer serving arrangements e.g. UNE-P, resale, UNE-L or Full Facilities
- The number of customers impacted
- Any transfer of assets/debts
- Plans to modify/cancel tariff(s)
- Notification to the PSC if there are changes to the cutover plan

IV. Industry Notification

This step is important, as it will help manage the migration process. Specifically, CLECs should be aware that there are special order processing procedures associated with mass migrations. Therefore, when a CLEC is notified of a mass migration, it should no longer routinely process orders that involve customers impacted by the migration. To determine how to process orders, the CLEC should check the PSC website under CLEC migrations for contact information or special instructions. If the instructions are not available, the CLEC should check with the exiting or acquiring CLEC project manager.

Notification will involve two approaches:

1. When the PSC is notified, the Department of Public Service will post this information on the CLEC migration location of the PSC web site.

2. When the PSC is notified, the Department will send out notification to a CLEC contact list with information regarding any CLECs exiting the market. Please note that while Verizon maintains this list, there is no obligation on its part to ensure its accuracy or update status.

V. Customer Notification

Companies involved in mass migrations must meet the following timelines in order to ensure enough time to migrate customers.

- Exiting CLEC must notify the PSC of its plans at least 90 days prior to discontinuing service. Note that the information required by the PSC is listed in Section IV.
- Exiting CLEC must notify its customers 60 days in advance of the final date
- Acquiring CLEC musts notify customers 30 days in advance of final date

If a carrier is unable to meet one or more of these deadlines, it must demonstrate to the Commission that meeting the deadlines is not feasible, and it must provide the appropriate notices as soon as feasible.

Appendix A to these guidelines contains two sample letters that illustrate what information must be included in the letter to be sent by the exiting CLEC who is notifying the customer of discontinuing service. Letter 1 represents the information that the exiting CLEC must send to the customer when there is an acquiring carrier. Letter 2 represents the information that the exiting CLEC must send to the customer when there is not an acquiring carrier.

Mass migrations involving an acquiring provider must identify a cut-off date. The cut-off date is defined as the date after which customers will have to wait until the mass migration is completed before they can obtain local exchange service from a different provider. When the customer is notified 60 days in advance, the cut-off date could be 40 days from the scheduled migration. This cut-off date will ensure that the customer has time to make a decision and that the acquiring CLEC has the time to send out notification information concerning the scheduled migration. Customers who have not selected an alternative provider will then be transferred to the acquiring service provider. When the end user is not notified 60 days in advance, the cut-off date will depend upon the size of the migration and the notification timelines.

When there is no acquiring carrier, the exiting CLEC, if technically feasible, must establish a cut-off date of 10 days prior to the termination of service, after which it puts the customer on some form of "soft dial tone" or announcement. For purposes of these migrations, "soft dial tone" means that the customer is unable to call out except for 911, and when the telephone is picked up the customer receives an announcement to contact the company regarding local service. This announcement will remind the customer to act immediately.

VI. Project Management

Project Management Roles, Responsibilities and Definitions are identified in Appendix B. In keeping with this model, each mass migration must have a program manager responsible for the coordinating the overall migration. In addition, each of the parties involved in the migration must have a project manager who works with the program manager. The individual parties involved in the migration could be:

- The exiting CLEC
- If applicable the Old Network Service Provider
- If applicable the acquiring CLEC
- If applicable the New Network Service Provider

Stakeholders must ensure that the project managers do their jobs and work effectively with the program manager.

The program manager will generally be selected from the acquiring CLEC.

The exiting CLEC must provide sufficient network information for the acquiring CLEC(s) to migrate its customers seamlessly. Specifically, for UNE-L or full facilities-based migrations, the exiting CLEC must provide the applicable circuit IDs and associated telephone numbers as well as location addresses. With UNE-P or resale migrations, the exiting CLEC must provide a billing telephone number with the associated working telephone number(s).

When processing orders for migrations, it should be emphasized that all parties need to be flexible. In this regard, that there will be circumstances where the framework outlined in this project management section will need to be modified to accommodate unique circumstances. This framework is not intended to preclude parties from negotiating special procedures aimed at facilitating customer service. The recommended mass migration process steps between Verizon and an acquiring CLEC are identified below.

Verizon Mass Migration Process for Acquiring CLECs

Step 1		Acquiring CLEC notifies its Verizon Account Manager of its need for a Mass Migration Project.
Step 2		Verizon Account Manager arranges for a Verizon Project Manager to help with the migration.
Step 3		Verizon Account Manager arranges a conference call with the CLEC and the Project Manager.
Step 4		The NMC (National Marketing Center) provides a waiver letter to the CLEC. The waiver letter when signed by the CLEC, will absolve Verizon of certain performance measurements pertaining to customer migrations. (i.e., LSRC timeliness)
Step 5		The CLEC will return the completed Verizon waiver letter with either a unique PON prefix as discussed with the Project Manager, or project code to the Project Manager.
Step 6		The CLEC will notify the Project Manager / NMC of the total number of lines it wishes to cut and which Central Offices/collocations the lines are served from. (Note: There is a maximum of lines that can be worked per night per geographical area)
Step 7	Date Due-17	The Verizon Project Manager will notify a team of Verizon department representatives (NMC, Regional CLEC Control Center (RCCC) and Frame) of the CLEC's request. They will determine the HOT CUT Due Dates and the fall-out date(s). (The fall-out date is the last day that the orders can be worked as a part of this cutover and is determined by the individual COs)
Step 8		The Project Manager advises the CLEC of the Date Dues, the number of lines per CO per due date, and of the fall-out dates.
Step 9		The CLEC will issue valid LSRs 15 business days prior to Due Date. (If reusing facilities, the exiting CLEC must provide the reusable circuit id with the associated telephone number.) The Project Manager will provide specifics to be included on the LSRs, e.g., Frame Due Times. Due Dates on any LSRs sent after this interval must be negotiated with the Verizon Project Manager. Late LSRs may not be included in the Project.
Step 10	Date Due-12	Upon receipt of a valid LSR, the NMC will provide a Firm Order Confirmation (FOC) to the CLEC. The NMC will ensure the orders are in Work Step with the appropriate assignments.

Step 11	Date Due-10	The CLEC will provide the Project Manager and the NMC with a spreadsheet or some other negotiated document for each CO. The spreadsheet will include the CO, PON, BTN, WTN, CLEC Cable and Pair, Circuit ID, and the Out and In order numbers. (Obtained from FOC)
Step 12		The NMC will send the spreadsheet to the RCCC .
Step 13	Date Due-9	The RCCC will compare the CLEC spreadsheet information to the WPTS (Wholesale Provisioning Tracking Systems) (The system used to ensure that everything in properly assigned.)
Step 14	Date Due- 7	The RCCC will send the WPTS list and spreadsheets to the Frame.
Step 15	Date Due -7 through –2	The Frame will pre-wire for all scheduled cuts.
Step 16	Date Due – 2	The Frame will check for dial tone, ANAC all numbers, identify IDLC, and advise the RCCC of any discrepancies. (e.g. No dial tone, wrong TN to Circuit ID)
Step 17	Date Due –2	The RCCC will notify the CLEC of any discrepancies. The CLEC is responsible to take the appropriate actions required to correct the discrepancies. (If unbundled to resold or UNE-P, Verizon will correct the discrepancies)
Step 18	Date Due-1	Any unresolved discrepancies will be pushed out to the scheduled fall-out date.
Step 19	Date Due- 0	All scheduled orders will be worked. Any discrepancies will be pushed out to the fall-out date.

VII. NXX Code Transfers

If the exiting CLEC has any NXX codes or thousand number blocks assigned, it must make transfer arrangements with the code administrator at least 66 days prior to the migration. If arrangements are not made, calls may not be completed. For specific information, refer to the Central Office Code Assignment Guidelines and Pooling Administration Guidelines developed by the Industry Numbering Committee.

VIII. Default Carrier and Termination Actions When Normal Migration Procedures Have Failed

When an exiting CLEC serves its customers through resale, Verizon is the default carrier that is obligated to continue a customer's local service.

When an exiting CLEC serves its customers through UNE-P, the CLEC must request Verizon to apply "soft dial tone" to customers who have not selected a carrier by the cut-off date. For purposes of this document, "soft dial tone" is defined as an announcement to call the local service provider while still enabling the customer to dial 911. The period during which soft dial tone must be provided is the final 10 days of service. This procedure is designed to notify the customer of impending loss of local service and the need to act immediately.

Exiting carriers serving customers by UNE-L and full facilities based arrangements must provide soft dial tone or an announcement to customers who have not chosen a carrier by the carrier selection cut-off date during the final 10 days of service prior to termination.

Appendix A

Sample Customer Notification Letter (with primary new carrier)

Date (60 days prior to exit)_
Customer Name
Address
City, NY zip

YOUR SERVICE WILL BE TRANSFERRED TO (name of primary new carrier) UNLESS YOU CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER BY (40 days prior to exit Date)

Dear Customer:

We regret to inform you that as of (exit date) XYZ Company will no longer be providing your local telephone service in New York. (explanation of specific company circumstances)

If you do not select a new local telephone service provider on or before (40 days prior to exit date), (name of primary new carrier) will automatically become your local telephone service provider effective (date). If you select an alternative provider after (40 days prior to exit date), your choice can only be put into effect after the change to (name of primary new carrier) and will therefore be delayed. You will not incur any charges for the change to (name of primary new carrier). If you select another provider of your choice, you may incur additional charges. In the transfer of service to (name of primary new carrier), all efforts will be made so your local telephone number will remain the same and your existing local service and calling features will be transferred to (name of primary new carrier).

If you do not want service from (name of new primary carrier), your action is required! You must select a new local telephone provider as quickly as possible but no later than (40 days prior to exit date).

If you have any questions regarding the discontinuance of XYZ Company's local telephone service, please call (toll free number). Questions regarding (primary new carrier) should be directed to (toll free number of primary new carrier). XYZ Company regrets any inconvenience this change may cause you.

Sincerely,

Letter # 2

Sample Customer Notification Letter (without a primary new carrier)

Date (60 days prior to exit)_
Customer Name
Address
City, NY zip

YOU MUST CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER BY (30 days prior to exit date)

Dear Customer:

We regret to inform you that as of (exit date) XYZ Company will no longer be providing your local telephone service in New York. (explanation of specific company circumstances)

Your action is required! You must select a new local telephone provider as quickly as possible but no later than (30 days prior to exit date) or you may lose your local telephone service.

Generally, you can find a list of most local telephone service providers in your local telephone directory. If you require assistance, please contact XYZ Company (current company) at (toll free number).

XYZ Company regrets any inconvenience this change may cause you.

Sincerely,

Appendix B

Project Management Roles, Responsibilities and Definitions

I. Definitions:

A. Program: An aggregation of projects which have a common goal, focus and purpose

B. Project: An activity which meets the following criteria:

1. Defined goals to be achieved
2. Acceptance criteria for the deliverables
3. A starting point
4. A defined completion point
5. Committed resources

C. Program Manager: The person responsible for the overall success of the program. The success of the program is defined as Stakeholder certification that the deliverables of the program have met or exceeded the defined acceptance criteria.

D. Project Manager: The person responsible to the Program Manager for the success of the project they have been charged with managing. The success of the project is the certification by the Program Manager and the Stakeholders that the project deliverables have met or exceeded the defined acceptance criteria.

E. Stakeholders: Senior level management representatives of all parties concerned with the program. Members of the Stakeholders group function as a "Board of Directors" for the Program and are ultimately responsible for its success or failure.

II. Roles and Responsibilities:

A. Program Manager: The Program Manager is the person ultimately responsible for the day-to-day conduct of the Program. She/He is responsible to the Stakeholders for her/his conduct of the program. In concert with the Stakeholders, the Program Manager establishes the strategic plans, policies and procedures necessary for the proper conduct of the program and its successful completion. The Program Manager is responsible for ensuring that the Project Managers conduct their projects in accordance with the overall program guidance and that the

Project Managers achieve the proper tactical goals as to enable the successful achievement of the program's strategic objectives. In the case of Mass Migrations, the Program Manager would be responsible for managing the projects of the:

1. New Local Service Provider
2. Old Local Service Provider
3. New Network Service Provider
4. Old Network Service Provider

B. Project Manager: The Project Manager is the person ultimately responsible for the day-to-day conduct of each individual Project. She/He is responsible to the Program Manager and ultimately the Stakeholders for her/his conduct of the project. In concert with the Program Manager, the Project Manager establishes the tactical plans, policies and procedures necessary for the proper conduct of the project and its successful completion. The Project Manager is responsible for ensuring that the project personnel conduct their activities in accordance with the overall program/project guidance and that the project achieves its assigned and defined goals. In the case of Mass Migrations, there would be four (4) Project Managers who would be responsible for managing the projects of the:

1. New Local Service Provider
2. Old Local Service Provider
3. New Network Service Provider
4. Old Network Service Provider

Each Project Manager is fully accountable to the Program Manager for ensuring that all tasks and functions assigned to their organization are completed at the defined time to the established standard. To accomplish this, each Project Manager, by definition, has the authority to and responsibility for managing all organizational functions and sub-functions with respect to the completion of project tasks to the relevant quality standard at the defined project due date.

C. Stakeholders: The Stakeholders are the "Board of Directors" for the program. They bear the ultimate responsibility for the successful achievement of the defined goals and objectives. They are responsible for:

1. Establishing the defined goals and objectives
2. Conducting periodic reviews of progress
3. Initiating corrective actions as necessary

For Mass Migrations, it is anticipated that the Stakeholders would be composed of members from the:

4. New Local Service Provider
5. Old Local Service Provider
6. New Network Service Provider
7. Old Network Service Provider
8. Public Service Commission Staff

Each Stakeholder is responsible for ensuring that the Project Manager representing their organization has the authority to coordinate and control the activities of their organization to ensure all appropriate tasks are completed on time to the relevant standard. Each Stakeholder is responsible for ensuring that the Project Manager representing their organization is fully responsible and accountable to the Program Manager for all tasks and functions assigned to their organization.