CI WORLDCOM

petition

August 18, 1999

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Via Hand Delivery

The Honorable Debra Renner
Acting Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Case 97-C-0139 – Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies

Dear Secretary Renner:

I have enclosed for filing the Joint Comments of AT&T and MCI WorldCom on Bell Atlantic - New York's Petition for Reconsideration, Clarification, and Stay, dated August 3, 1999. If you have any questions concerning this filing, please call me.

Very truly yours,

Kimberly A. Scardino

Kimberly A. Scardino

cc: The Honorable Jaclyn A. Brilling
All Active Parties (via U.S. Mail)

before the

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Proceeding on Motion of the Commission to Review Service Quality Standards for Telephone Companies	)))	Case 97-C-0139

JOINT COMMENTS OF AT&T AND MCI WORLDCOM ON BELL ATLANTIC - NEW YORK'S PETITION FOR RECONSIDERATION, CLARIFICATION, AND STAY

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Dated; August 18, 1999

before the

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

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JOINT COMMENTS OF AT&T AND MCI WORLDCOM ON BELL ATLANTIC - NEW YORK'S PETITION FOR RECONSIDERATION, CLARIFICATION, AND STAY

AT&T Communications of New York, Inc. ("AT&T") and MCI WorldCom, Inc. ("MCI WorldCom") hereby submit their joint comments on Bell Atlantic - New York's ("BA-NY") Petition for Reconsideration, Clarification, and Stay, dated August 3, 1999 ("August PFR")

To the extent that BA-NY's August PFR requests reconsideration or stay of the Commission's June 30, 1999, Order Establishing Permanent Rule ("June 30 Order"), the August PFR should be rejected by the Commission as a matter of law or, in the alternative, on its merits. BA-NY does not allege error of fact or law by the Commission, nor does it raise new circumstances that warrant a different determination than the June 30 Order. Rather, BA-NY's request for reconsideration and stay amount to nothing more than a repackaging of arguments which the Commission has heard before and rejected; accordingly, BA-NY's petition should be denied once more.

To the extent that BA-NY's August PFR requests clarification of the June 30 Order, AT&T and MCI WorldCom discuss the merits of each request herein.

I. BA-NY's Requests for Reconsideration and Stay Should be Dismissed as a Matter of Law.

As a threshold matter, except to the extent that BA-NY seeks clarification of certain matters, its August PFR should be dismissed for failure to state grounds on which rehearing of the June 30 Order is warranted. Pursuant to Section 3.7(b) of the Commission's rules of procedure, rehearing of an order of the Commission may only be sought on one of two grounds:

1) that the Commission committed an error of law or fact; or

2) that new circumstances warrant a different determination.[1]

BA-NY has not presented any evidence in its August PFR that either condition exists. There are no new circumstances of which the Commission was unaware. The parties have been discussing and shaping the Carrier-to-Carrier Guidelines in collaborative sessions for over two years under the supervision of Administrative Law Judge Jaclyn A. Brilling. The Commission has received regular reports from Judge Brilling on the progress of the proceeding, and Judge Brilling, herself, has actively monitored and is keenly aware of all matters before the working group. Thus a claim that there are "new circumstances" would not have passed muster.

Nor is there any allegation that the Commission committed an error of law or of fact in the June 30 Order. Instead, BA-NY's August PFR is merely a regurgitation of previously stated arguments. The Commission has heard BA-NY's arguments against a meaningful absolute standard for the % Flow Through Achieved metric, and it has rejected BA-NY's argument. The Commission has heard – twice – BA-NY's argument against including resent confirmations in the

[1] 16 NYCRR § 3.7(b).

Confirmation Timeliness metric, and – twice – the Commission has rejected BA-NY's arguments. The same can be said for nearly every argument in favor of reconsideration advanced by BA-NY in its August PFR.

The Commission's rules do not permit rehearing simply because the Commission did not accept a party's previously stated arguments. A party must show either new circumstances or factual or legal error. BA-NY has shown neither, and its August PFR should be dismissed as a matter of law.

If in the alternative, however, the Commission decides to rule on the merits of BA-NY's August PFR, the result should not change. For the reasons discussed below, BA-NY's August PFR is without merit and should be rejected, if not on legal grounds, then on the substance.

II BA-NY's Requests for Reconsideration and Stay Have No Merit and Should Be Rejected.

1. PO-5 Average Notice of Interface Outage

The Commission ordered BA-NY to begin reporting its timeliness of interface outage notification in the new metric PO-5.[2] The Commission ordered BA-NY to report the average elapsed interval between BA-NY's identification of an interface outage and BA-NY's notification to CLECs that the outage exists. The standard that BA-NY is to meet is not more than 20 minutes.

BA-NY proposed that it should be permitted to exclude from the new metric outages that are less than 15 minutes in duration. The Commission, however, rightfully concluded that there is

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[2]June 30 Order, Appendix at 8.

no justification for excluding outages that are less than 15 minutes.[3] Now, on reconsideration, repeats its request to exclude outages less than 15 minutes. BA-NY presents no justification for the need to exclude these outages, but rather states that the notification standard it must meet is 20 minutes.

BA-NY's reasoning is illogical, and the Commission should reject its request for reconsideration. BA-NY's response suggests that it would notify CLECs of an interface outage on or about the twentieth minute of the outage, and that if BA-NY resolves the outage prior to the twentieth minute, there is no reason to notify the CLECs. To the contrary, BA-NY should strive to notify CLECs as soon as an interface outage occurs – not 20 minutes later. BA-NY's position ignores the business impact of these outages on CLECs and implies that 20 minutes is a magic number. In reality, CLECs need to know as soon as possible whenever there is an outage. Several BA-NY interface outages have severely impacted MCI WorldCom's operations, and several times MCI WorldCom has lost orders as a result. Each and every interface outage has a major impact on CLEC operations, and CLECs need to be notified of each one. To allow BA-NY to exclude outages that are less than fifteen minutes in duration would excuse BA-NY from notifying CLECs of those outages. Equally important, it would allow BA-NY to mask the from CLECs and the Commission the frequency of interface outages. The frequency of outages of less than 15 minutes must be a matter that is on the record.

BA-NY claims that the cost of implementing metric PO-5 will be substantial for BA-NY.[4]

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[3] *Id.*

[4] August PFR, at 3.

However, this is a red herring, as BA-NY offers no evidence that implementation cost will be at all impacted by including or excluding outages of less than twenty minutes. Moreover, the suggestion that implementing this metric would be prohibitively expensive suggests that less-than-15-minute network outages are a frequent, rather than rare, occurrence. Thus, BA-NY's own argument supports keeping the metric as currently written. To the extent that including outages that are shorter than twenty minutes does impact BA-NY's costs, it will only do so if there are a significant number of shorter-duration outages. Furthermore, the implementation cost does not diminish the need for CLECs to know about interface outages as soon as possible after they occur. There is no harm done if BA-NY is required to include outages shorter than 20 minutes. While BA-NY should strive to provide notice as soon as possible and not on the twentieth minute, so long as BA-NY provides notice to CLECs within the standard twenty minutes, its performance reporting will not be negatively impacted by including outages shorter than twenty minutes. There is a clear benefit to CLECs in being informed as soon as possible of interface outages, and there is no demonstrated harm to BA-NY of doing so. Therefore, BA-NY's request for reconsideration should be denied.

2. <u>OR-1 – Order Confirmation Timeliness</u>

BA-NY seeks relief from the Commission's order to include resent confirmations in the Order Confirmation Timeliness metric. After twice being ordered to include resends, BA-NY now seeks relief via a stay of the requirement, on the grounds that it does not have the capability to capture resent confirmations in its existing system architecture. BA-NY has had six months since it was first ordered to include resent confirmations to develop this capability. As it has done twice before, the Commission should reject BA-NY's request and should direct BA-NY to begin including resent confirmations in the OR-1 metric immediately, with no further delay.

The Commission first ordered BA-NY to include resent confirmations in the February 16, 1999, Order Adopting Inter-Carrier Service Quality Guidelines ("February 16 Order"), so that competitors could completely monitor how timely BA-NY confirms service orders.[5] As the Commission recognized, unless resent confirmations were included, "Bell Atlantic - New York could send a useless confirmation to the parties in order to have good performance on this metric, and then send a meaningful one later, which would be excluded."[6]

Bell Atlantic had opposed the inclusion of resent confirmations on the grounds that resent confirmations are sent for reasons other than its own errors. Faced with the Commission's rejection of that argument as irrelevant,[7] BA-NY sought, on reconsideration of the February 16 Order, to limit the inclusion of resends to those that reflect a BA-NY error.[8] The Commission rejected this argument in the June 30 Order and reiterated the importance of including resends in the OR-1 metric, stating that

> CLECs have a need to receive resent confirmations in a timely manner, regardless of whether a resent confirmation is necessitated by a Bell Atlantic - New York error, a CLEC error, a CLEC initiated due date change, or a CLEC need for a duplicate copy. Each of these situations can be expected to occur in the real world, and Bell Atlantic - New York

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[5]February 16 Order, at Appendix 1, p.1.

[6]*Id.*

[7]*Id.*

[8]BA-NY's Compliance Filing and Limited Petition for Reconisderation, dated February 26, 1999, at 5-7. ("March PFR")

should be accountable for the timeliness of its responses to CLEC requests for resent confirmations as well as for the timeliness of resent confirmations due to Bell Atlantic - New York.[9]

In doing so, the Commission accurately captured the concerns of AT&T, MCI WorldCom, and other CLECs, who require timely delivery of resent confirmations, which often include new or additional information that CLECs require to serve their customers. If resent confirmations were not included, BA-NY would have an incentive to deliver a prompt yet inaccurate confirmation in order to fare well in its reporting of this metric. BA-NY could then deliver a second confirmation– which often includes information critical to CLECs – at its leisure, and the interval for delivery of the second confirmation would go unmeasured. Simply put, as KPMG noted in Case 97-C-0271, because BA-NY's reported metrics do not include resent confirmations, "the metrics based on confirmation response times are misleading."[10]

After twice being ordered to include resent confirmations, BA-NY now seeks to postpone including resends until February 2000, when LSOG 4 is released. BA-NY now claims that orders must be formatted pursuant to LSOG 4 in order for its "Request Manager" to capture and measure resend timeliness.

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[9]June 30 Order, Appendix at 13.

[10]Case 97-C-0271, Bell Atlantic OSS Evaluation Project, Final Report, submitted by KPMG LLP, August 6, 1999 (the "KPMG Report"), at IV-195. *See also* Joint August Supplemental Affidavit of Karen Kinard, Sherry Lichtenberg, and Arlene Ryan on behalf of MCI WorldCom, Case 97-C-0271, dated August 13, 1999, at ¶ 20. Additionally, as MCI WorldCom set forth in its August Supplemental Affidavit, as of August 10, 1999, BA-NY had not delivered nearly 1000 FOCs for orders placed between March 1 and August 4, 1999. BA-NY must send these missing FOCs to MCI WorldCom *and* account for them in their reporting of the OR-1 metric.

Never before in the many comments and petitions submitted to the Commission in this proceeding has BA-NY averred that LSOG 4 formatting was a prerequisite to electronically capturing resent confirmations. Even in its March PFR, when BA-NY first raised the specter of a "Request Manager" system, without which automated reporting of resends purportedly could not be accomplished, BA-NY did not raise any issues regarding LSOG 4 formatting. To introduce this argument now, after its other attempts to avoid including resends have twice been rejected by the Commission, is disingenuous. BA-NY has had six months to determine how to comply with the February 16 Order and measure resent confirmations. Instead, BA-NY has spent six months trying to argue its way out of the Commission's requirement. As the Commission has recognized, the inclusion of resends in the OR-1 is critical so as to remove any reporting-driven incentive for BA-NY to deliver a timely, yet inaccurate, confirmation to CLECs. It is not the CLECs fault that BA-NY has not made any effort to modify its systems in order to comply with the Commission's six-month-old requirement to include resent confirmations in OR-1, and the CLECs should not be forced to wait another six months before BA-NY includes resends. CLECs need BA-NY to begin including resends now, not in February 2000. The Commission should thus reject BA-NY's request for stay and direct BA-NY to begin including resent confirmations in the OR-1 metric immediately.

3. <u>OR-5-03 – % Flow Through Achieved</u>

The June 30 Order established a new submetric for % Flow Through Achieved, designed to measure the percentage of orders that are designed to flow through BA-NY's OSS and that actually do so without manual intervention. The June 30 Order established a 99% absolute standard, based on the results of KPMG's evaluation of BA-NY's OSS in Case 97-C-0271, which indicated that over 99% of orders designed to flow through can be expected to flow through successfully. BA-NY now seeks relief from the 99% absolute standard. BA-NY's arguments against the 99% standard are without merit and cannot be sustained. Accordingly, the Commission should reject BA-NY's request for reconsideration of this matter.

First, BA-NY states that the results of KPMG's evaluation of BA-NY's OSS should not be used as the basis for a performance standard. BA-NY states that the KPMG test was designed to measure capacity and responsiveness, not to develop a service standard for % Flow Through Achieved. But, in reality, KPMG tested exactly what this submetric is designed to measure. KPMG's own words completely defeat BA-NY's claims. As it wrote in the KPMG Report, KPMG tested:

> the ability of orders to Flow Through from a Competitive Local Exchange Carrier (CLEC) through the interface into Bell Atlantic-New York (BA-NY) ordering system without human intervention."[11]

To accomplish this, KPMG tested:

> [t]ransactions listed in the 'Pre-filing Milestones Met as of August 15, 1998 (Case 97-C-0271) as Flow Through and the additional capabilities added by BA-NY since August 1998.[12]

In fact, this test constituted an entire test in the "POP" domain of KPMG's evaluation. KPMG evaluated the frequency with which orders that were designed to flow through actually did flow through – precisely what the OR-5-03 submetric is designed to measure. At normal and

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[11]KPMG Report, at IV-148.

[12]*Id.*

stress volume levels, KPMG's testing revealed the following:

Resale transactions in the Pre-fil7ing Milestones Met that are know to be Flow Through are Level 5 Flow Through	99.4% (Functional Evaluation) 99.9% (Volume Stress)
UNE-P transactions in the Pre-filing Milestones Met that are know to be Flow Through are Level 5 Flow Through	99.8% (Functional Evaluation) 99.8% (Volume Stress)
UNE loop transactions in the Pre-filing Milestones Met that are know to be Flow Through are Level 5 Flow Through	85.5 % (Functional Evaluation) 99.9% (Volume Stress[13]

Based on these results, Staff concluded, and the Commission ordered, that BA-NY should be required to meet a 99% standard for this submetric. Unless KPMG's orders were in some way handled differently than a similarly situated CLEC's orders would be handled, AT&T and MCI WorldCom cannot understand why 99% is not the appropriate standard.

BA-NY states that the 99% standard achieved by KPMG is a nearly flawless standard, and that factors beyond BA-NY's control may prevent BA-NY from meeting the standard. This, too, is a specious argument. The Commission approved the OR-5-05 metric so as to remove from the flow-through measurement factors that are beyond BA-NY's control. The Commission explicitly stated in the June 30 Order that the OR-5-03 metric:

> would provide a better measure of Bell Atlantic - New York's flow through performance each month, because it would not depend on the flow through design requirements contained in the 271 Pre-Filing Statement, the types of orders generated by CLECs each month, or and [sic] the accuracy and completeness of CLECs' orders.[14]

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[13] *Id*, at IV-158. The 85.5% Functional Evaluation result for loop transactions was attributed to a Class of Service USOC that BA-NY corrected on March 20, 1999.

[14] June 30 Order, Appendix at. 23.

The submetric thus was designed so that factors beyond BA-NY's control, such as the volume of flow through orders and the accuracy of orders, would not influence the measurement. BA-NY's concern that factors beyond its control may prevent it from meeting the standard seems misplaced.

In its June 30 Order, the Commission did give BA-NY the opportunity to track the impact of CLEC errors and pending orders on the % Flow Through Achieved submetric and to propose a revision to the standard if the impact is demonstrated to be significant.[15] BA-NY has misinterpreted that language as an invitation to immediately request relief from the standard, without any such demonstration. As the language of the June 30 Order dictates, if BA-NY chooses to propose a revision to this standard, it should do so after collecting data that demonstrates the impact, if any, of CLEC errors and pending orders on the submetric. Until such time, however, BA-NY must be required to provide to CLECs the same level of service that it provided to KPMG. BA-NY committed to flow through a number of order types in its Pre-filing Statement.[16] For those order types that BA-NY has committed to flow through, nearly all – or at least 99% – of those orders must flow through BA-NY's OSS without manual intervention. Order flow through is critical to a CLECs' ability to provide local service. Each order that does not flow through requires manual intervention. By definition, this increases order processing time

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[15]June 30 Order, Appendix at 24.

[16]Case 97-C-0271, Petition of New York Telephone Company for Approval of its Statement of Generally Available Terms and Conditions Pursuant to Section 252 of the Telecommunications Act of 1996 and Draft Filing of Petition for Interlude Entry Pursuant to Section 271 of the Telecommunications Act of 1996, Pre-filing Statement of Bell Atlantic, filed April 6, 1998, at 28-30. ("Pre-filing Statement")

and creates a substantial opportunity for manual data entry error. BA-NY has offered no reason why this standard should be changed, except to say that it's a high standard that BA-NY might not be able to meet – a suspect claim given KPMG's experience. Therefore, BA-NY's request for reconsideration of this standard should be denied.

4. Missing Performance Reporting

The June 30 Order directed BA-NY to provide performance data retroactively for the months January through May 1999, consistent with the Carrier Guidelines.[17] As the Commission noted, the performance reports for those months are incomplete because a number of metrics have not been implemented by BA-NY. Staff has repeatedly asked BA-NY to identify when it would be able to report these metrics, to justify associated delays, and to explain its efforts to expedite reporting.[18] In response, BA-NY originally "provided little information about the factors necessitating the delays and no information about any efforts to expedite the reporting." After some prodding, BA-NY provided only "brief descriptions of the reasons for the delays but no indications of any efforts to expedite reporting."[19]

Now, on reconsideration, BA-NY states that it is in "an all-out effort to satisfy all the requirements of the June 30 order on a prospective basis" and that retroactive reporting would distract BA-NY from that effort.[20] BA-NY's argument is a transparent attempt to bypass one of

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[17]June 30 Order, Appendix at 63.

[18]*Id.*, Appendix at 62.

[19]*Id.*

[20]August PFR, at 13.

the most pertinent reasons for the Commission's June 30 Order. The missing metric reports were to be developed by BA-NY explicitly to support any section 271 application. Indeed, BA-NY committed in its Pre-filing Statement that it would provide such reports before it would ask the Commission for its support for such an application. In the February 16 Order, the Commission made clear that one purpose of requiring BA-NY to report many key metrics was so that

> Bell Atlantic-New York is able to report its performance in compliance with the nondiscrimination requirements of the Telecommunications Act. Commission action at this time will provide Bell Atlantic-New York with sufficient direction to fully compile and consistently report its performance for the purpose of opening the local exchange market to competition expeditiously.[21]

BA-NY has failed to report its performance as directed by the Commission, and now it asks the Commission to waive those reporting requirements precisely at the time it says it intends to go forward with its section 271 application. By simultaneously pursuing an immediate section 271 review by the Commission and requesting that it not be required to provide certain metric data for the period covered by the application, BA-NY is asking for a waiver of its Pre-filing Statement commitments. More fundamentally, it is asking the Commission to approve its section 271 application without key current data, on an inchoate promise that there will be future data and that it will be favorable to such an application.

While AT&T and MCI WorldCom are gratified that BA-NY appears finally to be making a concerted attempt to comply with the Commission's ordered reporting requirements, BA-NY must not be given a free pass for having failed to do so until now. The "under development" metrics have been under development for many months, and the February 16 Order is now six

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[21]February 16 Order, at 4-5.

months old. As the June 30 Order makes clear, Staff, as well as CLEC parties, have consistently encouraged BA-NY to expedite efforts to report outstanding metrics, and BA-NY, yet many metrics remain unreported. Parties in this case and in Case 97-C-0271, and the Commission itself, need to have an accurate and complete picture of BA-NY's performance. BA-NY has had ample opportunity up until now to report on all ordered metrics, consistent with the Commission's orders, and it has not done so. BA-NY's prior failures should not release BA-NY from the Commission's requirement to report retroactively those metrics. To grant such a request would be to excuse and reward BA-NY for its noncompliance, and thus the request should be denied.

III. Requests for Clarification

1. PO-1 – Pre-Ordering Response Time

AT&T and MCI WorldCom have no objection to BA-NY's request to amend the description of the PO-1 metric so as to refer to "CLEC usage of each *active* interface."

2. MR-1 – Maintenance OSS Response Time

Noting that in Case 97-C-0271, KPMG, as a pseudo-CLEC, experienced better maintenance and repair response times than the CLEC results reported by BA-NY, the Commission ordered BA-NY to provide an explanation as to why there are differences between the response times experienced by KPMG, CLECs, and BA-NY retail. This investigation, the Commission ordered, is to serve as a basis for future consideration of the performance standards for MR-1 by the parties, and the Commission recommended that in the interim, until December 31, 1999, the KPMG response times should be used as the performance standards.[22]

[22] June 30 Order, Appendix at 49.

In its August PFR, BA-NY states that the Commission should not use the response times experienced by KPMG as the MR-1 standard. Among other reasons, BA-NY claims that the KPMG test, because it did not involve real customers and real troubles, did not experience the response times that a "real world" CLEC would encounter. Whereas the KPMG response times measured transaction time from the RETAS GUI interface to the front end of BA-NY's OSS, BA-NY states that the KPMG transactions did not travel through the BA-NY legacy OSS.[23]

BA-NY's counterproposal is, at best, confusing. BA-NY proposes a set of absolute standards based upon data it claims to have evaluated – yet there is no indication offered as to what data BA-NY evaluated, how BA-NY evaluated it, or whether the data was verified by anyone. In short, it is entirely unclear upon what BA-NY has based its proposed standards.

Furthermore, it appears that BA-NY is proposing to discontinue all retail reporting for the MR-1 submetrics. This is unacceptable. BA-NY must provide CLECs with parity maintenance and repair response times. There is no way to assess parity unless BA-NY reports its retail performance. BA-NY should be moving towards providing parity in all service aspects. In this case, where BA-NY is already reporting retail performance, BA-NY should not be allowed to step away from being held to a parity standard by unilaterally deciding to cease measuring retail performance.

Prompt response time for maintenance and repair transactions is crucial to CLEC operations and customer-service efforts. If the Commission concludes that the KPMG response times are not the appropriate standard for the MR-1 metric, BA-NY must be held to a parity

[23] August PFR, at 8-9.

standard.

3. BI-3 – Billing Accuracy - Carrier Bill

BA-NY was directed in the February 16 Order to measure and report billing accuracy. There is, however, no performance standard yet associated with the metric. In an effort to determine whether a performance standard is needed and what it should be, the Commission directed BA-NY to begin immediately sampling carrier and retail bills for purposes of an audit. BA-NY is to report to the carrier-to-carrier working group the results of the audit and the "new ideas" it has indicated it has developed in other states.[24]

BA-NY requests clarification of the requirement that it immediately begin sampling bills "'in the same manner as it will be sampling service order accuracy.'"[25] BA-NY states that efforts are underway to begin the audit, but that the Commission's requirement is vague and unclear as to the level of detail required. BA-NY also claims that the "most efficient approach is to have this issue addressed by the Carrier-to-Carrier subgroup in the next phase of the proceeding."[26]

AT&T and MCI WorldCom agree that an efficient approach to identifying the specificity of this requirement, and an efficient approach to BA-NY's audit in general, is important. But to affect that goal, BA-NY should not seek to delay the process of identifying a standard by seeking guidance from the Commission at some future date. Instead – especially considering that BA-NY claims that efforts are already underway to begin the audit – BA-NY should propose a billing

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[24]June 30 Order, at Appendix 55.

[25]August PFR, at 12, *quoting* June 30 Order, Appendix at 54.

[26]*Id.*

sampling method for discussion at an upcoming Carrier-to-Carrier working group meeting in the near future. BA-NY should come to the Carrier-to-Carrier group with a concrete proposal on how it intends to comply with the Commission's order. Using that proposal as a starting point, the Carrier-to-Carrier working group should be able to reach an efficient clarification of this issue. AT&T and MCI WorldCom suggest that this proposal address at least all of the error types that KPMG identified in Case 97-C-0271.

Conclusion

For all of the reasons set forth above, BA-NY's August 3 Petition for Reconsideration, Clarification, and Stay of the Commission's June 30 Order – except to the extent it requests clarification – should be rejected in all respects.

Respectfully submitted,

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Dated: August 18, 1999