

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

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September 27, 2004

Mr. Michael Tu  
CEO and President  
Asia Talk Telecom, Inc.  
17588 E. Rowland Street, Suite A276  
City of Industry, CA 91748

C 04-C-1136

Re: Case No. 04-C-1136

Dear Mr. Tu:

The application by Asia Talk Telecom, Inc. on September 14, 2004, for a Certificate of Public Convenience and Necessity to operate in New York State as a facilities-based provider and reseller of telephone service, with authority to provide local exchange service, is hereby approved. This approval is based upon the accuracy of the information provided in the company's application and may be revoked if the application is found to contain false or misleading information, for failure to file or maintain current tariffs, or for violation of Commission rules and regulations. The company's tariffs, New York P.S.C. No. 1 and No. 2 - Telephone, are also approved.

The company is not authorized to use its own operators to handle 0- (emergency or non-emergency) calls. Such calls must be routed to another telephone company or operator services provider authorized to handle such calls, until such time as an amended Certificate of Public Convenience and Necessity is obtained pursuant to Part 649.6 of the Commission's rules.

The company must obtain any required consents of municipal authorities before commencing construction of telephone lines. It must also comply with applicable federal laws, New York State Public Service Law and related statutes, and the Commission's rules and regulations.

The following reporting requirements also apply:

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- Service Outage Reports. Major service outages should be reported to Department Staff by telephone when they occur. See Enclosure 1 for specific instructions.
- Operating Revenues. These reports are due March 31 each year. The company will be notified in writing each year of the required content and format of these reports.
- Service Quality Reports. These reports are due on the 10<sup>th</sup> of each month, commencing when the company actually has local exchange lines in service. See Enclosure 2 for further information and instructions.

We also ask that you forward the following information to Maria Le Boeuf of our staff within 30 days of receipt of this letter:

- The company's emergency contingency plan describing its operational procedures in the event of major service outages, storms, disasters, or other unusual conditions. Any updates or changes to the plan should be promptly forwarded as well.
- The name and telephone number of a company person responsible for coordinating local service migration issues with other carriers and Department Staff.
- Responses to the questionnaire set forth in Enclosure 3. This information will be added to the directory of telephone companies posted at our website for the purpose of helping members of the public search for companies that are able to meet their telecommunications needs. Any updates or changes should be promptly forwarded as well.

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If you have any questions, please contact Maria Le Boeuf at (518) 474-1362.

By direction and delegation  
of the Commission,

A handwritten signature in black ink, appearing to read "Robert H. Mayer", is written over the printed text "of the Commission,".

Robert H. Mayer  
Director  
Office of Telecommunications

Enclosures 1, 2, and 3

cc: Judy Sylvester  
Maria LeBoeuf  
Case File  
Greg Pattenaude

## ENCLOSURE 1

### INSTRUCTIONS FOR REPORTING MAJOR SERVICE OUTAGES

Facilities-based, local exchange carriers are responsible for constructing and maintaining their networks to be minimally susceptible to major service interruptions. They are responsible for mitigating the impacts of major service interruptions by, for example, restoring service promptly, and making public and cellular telephones available to the public when service cannot be promptly restored. They are also responsible for filing their emergency plans with the Commission's Office of Telecommunications and for promptly reporting major service interruptions to the Office of Telecommunications.

A major service interruption is generally defined as any of the following conditions, and includes both physical and cyber incidents that affect the company's network, facilities, services, or operations:

1. A service problem or newsworthy event caused by, for example, a major storm, flood, fire, job action, sabotage, civil unrest, security breach at a central office building, or other event.
2. A service problem affecting public access to 911, operator services, Telephone Relay Service, police, fire departments, or emergency medical services.
3. A central office or toll center failure or isolation lasting more than five minutes.
4. Extensive network congestion.
5. A cable failure affecting a major toll route, or 1,000 or more local subscribers.
6. A service problem affecting a public transportation terminal, national defense installation, or large residential and commercial building or complex.

A major service interruption should be reported immediately, by telephone, to the Commission's Office of Telecommunications. Voice mail or e-mail should not be used unless requested in advance by Office of Telecommunications staff. Office of Telecommunications staff assigned to receive such reports are as follows.

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**Within Normal Business Hours  
For Telephone Companies:**

<u>Verizon New York, AT&amp;T and MCI/WorldCom to:</u>	<u>All other carriers:</u>
Craig Biegen, Telecommunications Utility Supervisor (Telecom), At (518) 474-3139	Robert Laurenzo, Telecommunications Utility Analyst 3 (Telecom), At (518) 486-2826.
If the assigned person cannot be reached, attempts should be made to reach one of the following people in the order shown below:	
Joseph Yakel, Utility Analyst 2 (Telecom), At (518) 473-5244	
Greg Pattenau, Acting Chief of the Carrier Performance Section, At (518) 474-8717	
John Baugh, Secretary I, At (518) 474-4500	
Kathleen Bloomingdale, Secretary I, At (518) 474-1668	

**Outside Normal Business Hours  
For Telephone Companies:**

<u>Verizon New York, AT&amp;T and MCI/WorldCom to:</u>	<u>All other carriers:</u>
Craig Biegen, Utility Supervisor (Telecom), At (518) 784-9520	Robert Laurenzo, Utility Analyst 3 (Telecom), at (518) 371-6747.
If the assigned person cannot be reached, attempts should be made to reach one of the following people in the order shown below:	
Greg Pattenau, Acting Chief of the Carrier Performance Section, At (518) 674-4078	
Robert Mayer, Director, Office of Telecommunications At (518) 439-8993	

The initial report should include the following information, to the extent it is known. If some of the information is not known at the time of the initial report, the company's best estimates should be provided.

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**STATE OF NEW YORK  
DEPARTMENT OF PUBLIC SERVICE  
TELEPHONE SERVICE INTERRUPTION and CYBER INCIDENT REPORT FORM**

**Instructions:**

Part A, Lines 1- 12 must always be completed.

Part B, Lines 13-22 must be completed for TELEPHONE SERVICE Interruptions affecting consumers or other carriers.

Part C, Lines 23-30 must be completed for CYBER Incidents regardless of impact on consumers or other carriers.

Submit this form for each Telephone service Interruption and/or Cyber Incident

<b>A. General Information</b>		<input type="checkbox"/> Telephone Interruption	<input type="checkbox"/> Cyber Incident
1.	Type of Event – check all that apply		
2.	Reporting Company		
3.	Name, title, telephone number and e-mail of person making this report		
4.	Date, time and person first contacted at Department of Public Service		
5.	Date and Time of Report		
6.	Start Date and Time of the Event		
7.	Detection Date and Time (if different than line 5)		
8.	Estimated Date/Time of Restoral (if known)		
9.	Actual Date Time of Restoral (if known)		
10.	Location of Event or Interruption(street address, building, room, and city)		
11.	Identify applicable Network Reliability and Interoperability Council (NRIC) Best Practice(s) that may have avoided this outage. For a current list of these Best Practices, see <a href="http://www.bell-labs.com/cgi-user/krauscher/bestp.pl">http://www.bell-labs.com/cgi-user/krauscher/bestp.pl</a>		
12.	What implementation plans, if any, does the company have related to the NRIC Best Practice(s) noted in 11 above, and the dates by which this might be expected.		

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<b>B.</b>	<b>Telephone Service Interruption</b>	
13.	Company trouble ticket number or tracking number (if available)	
14.	Affected Wire Centers (name and CLLI Code)	
15.	Affected NPA-NNX Codes	
16.	Number of Access Lines Affected by wire center	
17.	Number of Special Service Circuits Affected by wire center	
18.	Nature and Cause of the Interruption	
19.	Steps Taken or Underway to Notify the Public	
20.	Steps Taken or Underway to Mitigate the Impacts (e.g., making public/cell telephone available?) Pending Full Restoral	
21.	Steps Taken to Restore Service	
22.	Additional Information	
<b>C.</b>	<b>Cyber Incident</b>	
23.	Nature of the incident <ul style="list-style-type: none"><li>• Denial of service</li><li>• Malicious Code</li><li>• Reconnaissance Scans and Probes</li><li>• Unauthorized Access</li></ul>	

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	<ul style="list-style-type: none"><li>• Other (describe)</li></ul>	
24.	Details (virus name, events, etc.)	
25.	How was the incident detected?	
26.	Describe overall business impact of the incident	
27.	<b>Compromised System Details</b> <ul style="list-style-type: none"><li>• System(s) Affected</li><li>• Hardware involved (e.g.manufacturer/model)</li><li>• Operating System</li><li>• Compromised Software</li><li>• Source of attack</li></ul>	
28.	<b>Describe What Actions have been taken so far</b> <ul style="list-style-type: none"><li>• Was the system removed from the network?</li><li>• Describe initial containment measures (firewall, ACL, etc.)</li><li>• Who was notified(e.g. ISAC, law enforcement)</li><li>• When were they notified (Date and Time)</li></ul>	
29.	Technical Contact (System/network administrators)	
30.	Additional Information	

Regular status reports should be provided by telephone beginning within 3 hours of the initial report, continuing twice daily until the situation has stabilized, and immediately upon restoration of service to normal. A written closing report should be provided within one week of service being restored to normal. The closing report should finalize the information provided in previous reports and include a self-assessment of the company's effort to restore service and to prevent a recurrence.



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**ENCLOSURE 2**

**SERVICE QUALITY REPORTING REQUIREMENTS**

(See Also October 6, 2000 Memorandum and Resolution  
Adopted by the Commission in Case 97-C-0139)

Local exchange service providers are subject to the administrative, operational, and service quality performance standards set forth in the Commission's Rules and Regulations.<sup>1</sup> They include the following service quality reporting requirements:

- Local exchange service providers that serve less than or equal to 500,000 access lines shall normally report monthly Customer Trouble Report Rate (CTRR) performance results, and shall also be subject to Service Inquiry Report requirements with respect to CTRR.
- Service Providers having more than 500,000 access lines shall normally report monthly performance on all service quality metrics specified in the service quality standards, and shall be subject to Service Inquiry Report requirements for all metrics.
- The Director of the Office of Telecommunications may require additional service quality reporting upon analysis of a provider's reported service quality results and/or receipt of excessive PSC complaints against a provider.
- A service provider may request an exemption from any or all of the reporting requirements, if it provides service through the resale of another service provider's tariffed services; or through purchase of another service provider's Unbundled Network Elements (UNEs) over which it has no direct control. The Director of the Office of Communications will grant or deny such exemption requests on a case-by-case basis.

Annual PSC Commendations will be awarded to local exchange service providers judged to have provided excellent service during each calendar year. The qualifying criteria for a commendation are: 1) a 3.3 or better Customer Trouble Report Rate in at least 95% of monthly measurements during the year; and (2) a PSC complaint rate of not more than 0.075 per thousand access lines for the year. A newly certified service provider must provide all required service quality information for an entire calendar year to be considered for commendation.

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<sup>1</sup> 16NYCRR, Chapter VI, Telephone and Telegraph Corporations, Subchapter A. Service – Part 602 (Consumer Relations and Operations Management) and Part 603 (Service Standards).

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Local exchange service providers serving less than 500,000 access lines should use the attached form for reporting CTRR results. This form requests the number of customer trouble reports received in the last calendar month and the number of access lines served at the end of the last calendar month, reported separately for each of the provider's local end office switches. Each local end office switch should be identified by a single NXX code. The completed form should be e-mailed or faxed to Ruvain Kudan (ruvain\_kudan@dps.state.ny.us or fax: (518) 486-5727) within 10 days after the end of each calendar month.

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**Customer Trouble Report Rate (CTRR) Performance  
Monthly Report Form**

*For All Local Exchange Companies That Serve Less Than or Equal to 500,000 Access Lines*

Company Name:

Calendar Month:

Company Code (3 Character Code):

Preparer's Name:

Date of Report:

Preparer's Telephone & Fax Numbers:

	Exchange Name	NPA-NXX	# of Access Lines (end of cal. Month)	# of Trouble Reports (during cal. month)	CTRR (RPHL) (e=d/(c/100))
	(a)	(b)	(c)	(d)	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

Notes: 1. Service reporting month format is YYMM (e.g., 0011 for November 2000)

2. Call Ruvain Kudan at 518-474-3138 to obtain a company code before filing first report.

3. Add pages as necessary for reporting additional exchanges.

4. A switching entity may serve more than one assigned NPA-NXX. For the purpose of reporting monthly CTRR data, only one designated NPA-NXX per switching entity should be used consistently each month.

5. CTRR reports should be e-mailed or faxed to Ruvain Kudan (ruvain\_kudan@dps.state.ny.us or fax: (518) 486-5727) within 10 days after the end of each calendar month.

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ENCLOSURE 3

QUESTIONNAIRE

Company Name:

Case Number:

Preparer's Name:

Phone Number:

E-mail Address:

- Consumer contact information (for use by consumers wishing to contact the company for information)

Phone No:

Mailing Address:

E-Mail Address:

Website Address:

- Services Offered

Indicate the telecommunications services offered by your company:

	<u>Resale</u>	<u>Facilities-Based</u>
Local Exchange Telephone Service	<input type="checkbox"/>	<input type="checkbox"/>
Lifeline	<input type="checkbox"/>	<input type="checkbox"/>
Long Distance		
IntraLATA	<input type="checkbox"/>	<input type="checkbox"/>
InterLATA Intrastate	<input type="checkbox"/>	<input type="checkbox"/>
InterLATA Interstate	<input type="checkbox"/>	<input type="checkbox"/>
Private/Leased Line	<input type="checkbox"/>	<input type="checkbox"/>
Operator Services	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

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QUESTIONNAIRE - Continued

• Service Area

Indicate if the company offers service statewide, or identify the counties where service is offered.

☐ Statewide

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Bronx                    | <input type="checkbox"/> Montgomery   |
| <input type="checkbox"/> Kings (Brooklyn)         | <input type="checkbox"/> Nassau       |
| <input type="checkbox"/> New York (Manhattan)     | <input type="checkbox"/> Niagara      |
| <input type="checkbox"/> Queens                   | <input type="checkbox"/> Oneida       |
| <input type="checkbox"/> Richmond (Staten Island) | <input type="checkbox"/> Onondaga     |
| <input type="checkbox"/> Albany                   | <input type="checkbox"/> Ontario      |
| <input type="checkbox"/> Allegany                 | <input type="checkbox"/> Orange       |
| <input type="checkbox"/> Broome                   | <input type="checkbox"/> Orleans      |
| <input type="checkbox"/> Cattaraugus              | <input type="checkbox"/> Oswego       |
| <input type="checkbox"/> Cayuga                   | <input type="checkbox"/> Otsego       |
| <input type="checkbox"/> Chautauqua               | <input type="checkbox"/> Putnam       |
| <input type="checkbox"/> Chemung                  | <input type="checkbox"/> Rensselaer   |
| <input type="checkbox"/> Chenango                 | <input type="checkbox"/> Rockland     |
| <input type="checkbox"/> Clinton                  | <input type="checkbox"/> St. Lawrence |
| <input type="checkbox"/> Columbia                 | <input type="checkbox"/> Saratoga     |
| <input type="checkbox"/> Cortland                 | <input type="checkbox"/> Schenectady  |
| <input type="checkbox"/> Delaware                 | <input type="checkbox"/> Schoharie    |
| <input type="checkbox"/> Dutchess                 | <input type="checkbox"/> Schuyler     |
| <input type="checkbox"/> Erie                     | <input type="checkbox"/> Seneca       |
| <input type="checkbox"/> Essex                    | <input type="checkbox"/> Steuben      |
| <input type="checkbox"/> Franklin                 | <input type="checkbox"/> Suffolk      |
| <input type="checkbox"/> Fulton                   | <input type="checkbox"/> Sullivan     |
| <input type="checkbox"/> Genesee                  | <input type="checkbox"/> Tioga        |
| <input type="checkbox"/> Greene                   | <input type="checkbox"/> Tompkins     |
| <input type="checkbox"/> Hamilton                 | <input type="checkbox"/> Ulster       |
| <input type="checkbox"/> Herkimer                 | <input type="checkbox"/> Warren       |
| <input type="checkbox"/> Jefferson                | <input type="checkbox"/> Washington   |
| <input type="checkbox"/> Lewis                    | <input type="checkbox"/> Wayne        |
| <input type="checkbox"/> Livingston               | <input type="checkbox"/> Westchester  |
| <input type="checkbox"/> Madison                  | <input type="checkbox"/> Wyoming      |
| <input type="checkbox"/> Monroe                   | <input type="checkbox"/> Yates        |

If different services are offered in different areas, please attach a schedule.