



Bona Fide Request (BFR) Process

Except as otherwise provided in the interconnection or resale agreement with the CLEC, or in applicable tariffs, the Bona Fide Request (BFR) process is used when the CLEC requests access to a UNE or a combination of network elements that is not currently offered in an interconnection agreement, SGAT (Statement of Generally Available Terms and Conditions), or tariff, and that FairPoint is required to provide under applicable law.

The BFR process facilitates the two-way exchange of information between the requesting CLEC and FairPoint necessary for processing of requests. Under the BFR process, a preliminary analysis is conducted, including confirmation of whether the request qualifies as a new UNE or combination of unbundled network elements that is required to be provided under applicable law, and an initial assessment of its technical feasibility, general product availability, and expected delivery date.

FairPoint notifies the CLEC within 10 business days that its BFR request has been received and the preliminary analysis is normally completed within 30 calendar days. Where feasible, a projected order of magnitude price is also provided. A full evaluation of each request, including any product development activity and final pricing, is normally completed within 90 calendar days after receiving authorization from the CLEC to proceed. In some cases, additional testing, whether by FairPoint or jointly by FairPoint and the CLEC, may require additional time. The time periods used below are illustrative only and may differ from those specified in an interconnection agreement, SGAT or tariff.

Details of the BFR Process

The process begins with the submission of the BFR Form.

The requester submits the BFR form to the FairPoint Account Manager who is the single point of contact for BFR coordination. Subject to terms of individual Interconnection Agreements, when submitting the BFR, the CLEC agrees to pay the total evaluation costs incurred by FairPoint. The CLEC may cancel its BFR request, but must pay FairPoint's costs incurred to the date of cancellation.

When the FairPoint Account Manager receives the completed BFR form, the Account Manager reviews it with the BFR Product Manager for completeness to determine whether FairPoint understands the request and whether information necessary to process the request has been provided. Thereafter, but normally no later than 10 business days after receipt of the BFR, the Account Manager issues a confirmation notice. If for some reason the BFR cannot be processed or does not qualify for BFR treatment, the CLEC is notified.

Activities undertaken during the first 30 calendar days are focused on a preliminary assessment of the request, including its technical feasibility. Various subject matter experts are available to help complete the preliminary evaluation led by the BFR Product Developer. The evaluation also includes the determination of whether FairPoint is already providing or is obligated to provide the requested offering, and if so, whether the offering meets the CLEC's needs. The results of this analysis are conveyed to the CLEC as part of the 30-day formal response. FairPoint also provides a proposed order of magnitude-projected price based upon any quantity and term commitment specified.

Following the formal 30-day notification, no further action is taken on the BFR until the FairPoint Account Manager receives the CLEC's authorization to proceed. Following receipt of the 30-day notification, the CLEC has the following options:

1. Authorize FairPoint to proceed with further development and/or pricing of the request based upon the CLEC's agreement to compensate FairPoint for any costs it incurs in developing and pricing the request, up to the estimated amount specified in the 30-day notice.
2. Cancel the BFR without any further liability to FairPoint to order the requested capability. However, the CLEC shall be responsible to compensate FairPoint for the costs it incurred prior to the date of cancellation.
3. Unless FairPoint receives written notification that the CLEC is exercising one of the above options within 90 days of FairPoint issuing the 30-day notification, the offer shall be automatically withdrawn without notice.

Once an authorization to proceed is received, the product assessment is completed within 90 days. A Product Developer is assigned to the request, and a product team is formed to develop the offering. This includes an evaluation of the product's cost. Any term/quantity information submitted by the CLEC is used in this evaluation. Also, at any time during the 90 days, the CLEC may cancel the request, and limit its obligations to pay for the product development to those costs incurred through the date of termination.

Upon completion of this product development phase (normally no longer than 90 calendar days), the CLEC is provided with a final product delineation, which includes a product description and availability date, proposed rates, ordering intervals, methods and procedures for ordering the service and an invoice for the development and pricing costs incurred. The CLEC then has 30 calendar days to submit either firm orders for or cancel the requested capability at the final price quoted by FairPoint and to remit the amount of FairPoint development costs as described above. If the CLEC does not submit firm orders within 30 days, FairPoint assumes the product is canceled.

BFR Initiation

The key document in the BFR process is the BFR form. The BFR form provides FairPoint with detailed, specific information about the service, capability, or network element being requested, and describes how the request qualifies as a BFR to be provided pursuant to the Telecommunications Act of 1996. Moreover, this information provides the basis for a sound technical and economic analysis of the request.