# Exhibit A

R. The Commission adopts the penalty structure as recommended by the Staff in this proceeding and in its brief. That structure is outlined below and shall take effect upon the inception of this program.

1) Within thirty days of the end of each recording period the service provider shall file with the Commission the data for each service measure. As part of that filing, the service provider shall highlight any performance that did not meet the established benchmarks. This filing will be known as the Notification Filing. The Commission shall notify the marketer of its noncompliance with standards, for which the Commission is responsible for tracking within thirty days of the end of each recording period.

2) If one or more of the service benchmarks have not been met, the service provider will have thirty days from the Notification Filing to file with the Commission a Remedial Action Plan ("RAP"). The RAP should explain the deficiency, specify how the deficiency will be remedied, and provide a timetable for remedial activities but all remedial activities must be completed within ninety days.

3) At the conclusion of the 90-day remediation period, the service provider will have fifteen days to file a Remediation Report with the Commission that demonstrates its compliance with the benchmarks that were the subject of the RAP. If the deficiencies were not eliminated and the established benchmarks met then the service provider would be considered to be in violation of the service quality standards. Penalties would commence at that time and continue for each recording period thereafter or until such time as the service provider meets the approved benchmark.

4) For a period of one year after filing of a remediation report, the service provider will remain subject to penalties for each recording period if the deficiency remains or reoccurs. The service provider will not be given remediation opportunities again until such time as the service provider has demonstrated compliance with the benchmark for twelve consecutive months.

S. The presumptive penalty for non-compliance with any standard and approved benchmark for a recording period shall be $25,000 due thirty five days after the filing of the Remediation Report indicating a failure to meet the benchmark or after a notification filing that demonstrates that the service provider failed to meet the benchmark during the twelve consecutive month period following the remediation period.