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September 5, 2001

Mrs. Bianca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
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Dear Mrs. Bayo:

RE: Docket No. 960786-TL

Enclosed please find the original and 15 copies of AT&T Communications of the Southern States, Inc.'s Responses to Staff's First Set of Interrogatories (1-6). Please stamp the extra copy provided and return for our files.

Thank you and please contact the undersigned if there are any questions regarding this matter.

Sincerely,

James P. Lamoureux

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re:)
Consideration of BellSouth)
Telecommunications, Inc.'s entry into interLATA) Docket No. 960786-TL
services pursuant to Section 271 of the Federal)
Telecommunications Act of 1996.)

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.'S
RESPONSES TO STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1 - 6)**

INTERROGATORIES

INTERROGATORY No. 1: For this request, please refer to the rebuttal testimony of AT&T witness Berger, page 6, lines 8-9. Please list each FCC guideline that you believe BellSouth fails to meet. Please include in your list the specific FCC Order Number, Rule, or other citation where the guideline is found.

ANSWER: The FCC has provided guidance on the RBOC's obligation to provide hot cuts in several orders¹:

- Section 271(c)(2)(B) of the Act requires a Regional Bell Operating Company ("RBOC") to comply with the number portability regulations adopted by the FCC pursuant to section 251. 47 U.S.C. § 271(c)(2)(B)(xi). Section 251(b)(2) requires all LECs "to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission." 47 U.S.C. § 251(b)(2). *See Memorandum Opinion and Order, In the Matter*

¹ AT&T's testimony was not intended to create or describe a formal distinction between "expectations" and "guidelines." Accordingly, AT&T's answer reflects no such distinction and responds to both Interrogatory No. 1 and Interrogatory No. 2.

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of Joint Application by SBC Communications Inc., Southwestern Bell Tel. Co., and Southwestern Bell Communications Services, Inc. (d/b/a Southwestern Bell Long Distance) for Provision of In-Region, InterLATA Services in Kansas and Oklahoma, FCC 01-29 CC Docket No. 00-217 App. B ¶ 7 (rel. January 22, 2001) (“SWBT Kansas Oklahoma Order”).

- Any long-term number portability method must “support existing network services, features, or capabilities, such as emergency services, CLASS features, operator and directory assistance services, and intercept capabilities” 47 C.F.R. § 52.23(a)(1) and “does not result in any degradation in service quality or network reliability when customers switch carriers.” 47 C.F.R. § 52.23(a)(5).
- The FCC has explained that, to satisfy the checklist requirements, an RBOC must demonstrate that “it provisions hot cuts in sufficient quantities, at an acceptable level of quality, and with a minimum of service disruption.” Memorandum Opinion and Order, *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communication Act To Provide In-Region, InterLATA Service in the State of New York*, CC Dkt. No. 99-295, FCC 99-404, 1999 WL 1243135 (rel. Dec. 22, 1999) ¶ 291 (“*Bell Atlantic New York Order*”).
- An RBOC “must demonstrate that it provides unbundled loops through hot cuts ‘in a manner that offers an efficient competitor a meaningful opportunity to compete.’” *SWBT Kansas Oklahoma Order* ¶ 199.
- An RBOC is required to provide “hot cuts in a timely manner, at an acceptable level of quality, with minimal service disruption, and with a minimum number of troubles following

installation.” Memorandum and Order, *Application of Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) and Verizon Global Networks, Inc., For Authorization to Provide In-Region, InterLATA Services in Massachusetts*, Before the Federal Communications Commission, CC Docket NO. 01-9, FCC 01-130 (rel. April 16, 2001) ¶ 159 (“*Verizon Massachusetts Order*”).

- A BOC “must demonstrate that it can coordinate number portability with loop cutovers in a reasonable amount of time and with minimum service disruption.” *In the Matter of Application of BellSouth Corporation, et al. for Provision of In-Region, InterLATA Services in Louisiana*, CC Docket No. 98-121, Memorandum Opinion and Order, FCC 98-271 (rel. Oct. 13, 1998) ¶ 279.
- BellSouth must provide number portability in a manner that allows users to retain existing telephone numbers ““without impairment of quality, reliability, or convenience.”” *Bell Atlantic New York Order* ¶ 367 (citation omitted).
- “The ability of a BOC to provision working, trouble-free loops through hot cuts is critically important in light of the substantial risk that a defective hot cut will result in competing carrier customers experiencing service outages for more than a brief period.” Memorandum Report and Order, *Application by SBC Communications Inc., Southwestern Bell Telephone Company, And Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services In Texas*, CC Dkt. No. 00-65, (rel. June 30, 2000) ¶ 256.

- In reviewing Section 271 applications, the FCC has stated that it is “looking for patterns of systematic performance disparities that have resulted in competitive harm or otherwise denied competing carriers a meaningful opportunity to compete.” *Verizon Massachusetts Order* ¶ 122.
- The FCC has observed that proper coordination of the hot cut between the Bell Operating Company and the CLEC is “critical because problems with the cutover could result in an extended service disruption for the customer.” *Bell Atlantic New York Order* ¶ 291 n.925.

INTERROGATORY No. 2: For this request, please refer to the rebuttal testimony of AT&T witness Berger, page 6, lines 8-9. Please list each FCC expectation that you believe BellSouth fails to meet. Please include in your list the specific FCC Order Number, Rule, or other citation where the expectation is found.

ANSWER: Please see AT&T’s Response to Interrogatory No. 1.

INTERROGATORY No. 3: For this request, please refer to the rebuttal testimony of AT&T witness Berger, page 14, footnote 12. Please specifically identify each BellSouth witness who testified, the jurisdiction in which they testified, and the docket number in which they testified that processing of a partially-mechanized order generally takes less than one hour.

ANSWER: BellSouth witnesses Ken L. Ainsworth and Ronald M. Pate testified that the

processing of the components of a partially-mechanized order generally takes less than one hour before the Alabama Public Service Commission, Docket No. 25835. Before the South Carolina Public Service Commission, Docket No. 2001-209-C, Mr. Ainsworth qualified his prior answer to add that processing of extremely complex partially-mechanized orders can take longer than one hour.

INTERROGATORY No. 4: For this request, please refer to the rebuttal testimony of AT&T witness Berger, page 17, lines 14-19. Does AT&T currently have access to BellSouth's LFACs database?

ANSWER: No.

INTERROGATORY No. 5: According to the rebuttal testimony of AT&T witness Berger, page 19, lines 7-8, AT&T and BellSouth disagree on the appropriate start and stop times for the physical connection of the loop during the hot cut process. Please explain in detail why this disagreement should be addressed in a 271 proceeding rather than a complaint or arbitration proceeding.

ANSWER: The referenced disagreement between AT&T and BellSouth is an example of BellSouth's efforts, despite the existence of the parties' Memorandum of Understanding, to impair the ability of AT&T to provide seamless transitions to AT&T local service. BellSouth's

proposal effectively eliminates AT&T's ability to provide hot cuts to meet the needs of customers. Performance of predictable and reliable hot cuts is essential to the ability of ALECs to compete. Moreover, the FCC has stated that Section 271 requires BellSouth to provide hot cuts with a minimum of service disruption to the customer. AT&T cannot complete the work on the hot cut until AT&T receives notification from BellSouth that it has completed its work. Until the work is completed, a customer's service is impaired. Accordingly, BellSouth's efforts to eliminate date-and time-specific hot cuts, which illustrate BellSouth's unwillingness to provide AT&T nondiscriminatory access that complies with checklist items four and eleven, are appropriately part of this Section 271 proceeding.

INTERROGATORY No. 6: In the rebuttal testimony of AT&T witness Berger, page 22, lines 8-14, it is asserted that BellSouth reserves prompt service restoration for its own customers, which AT&T believes violates the Act's parity requirement and pro-competitive policies. Has AT&T filed a complaint regarding this alleged violation? If so, please list each jurisdiction in which a complaint has been filed, and include the date the complaint was filed and, if available, the resolution of the complaint.

ANSWER: No, AT&T has not filed a complaint regarding this matter. As Ms. Berger mentions in her testimony, AT&T's consideration of whether to initiate regulatory proceedings in response to various BellSouth violations has been made substantially more complicated by BellSouth's policy not to participate in business-to-business negotiations with AT&T regarding

issues AT&T has raised in any regulatory forum. AT&T brings the service restoration disparity to the attention of the Commission in the Section 271 context as an example of BellSouth's failure to provide the nondiscriminatory service required under the Act.

CERTIFICATE OF SERVICE

DOCKET NO. 960786-TL

I HEREBY CERTIFY that a copy of the foregoing has been furnished via U.S.

Mail this day 5th of September, 2001, to the following parties of record:

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