

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

REVISED REBUTTAL TESTIMONY OF

DENISE C. BERGER

ON BEHALF OF

**AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.,
AT&T BROADBAND PHONE OF FLORIDA, LLC,
AND TCG SOUTH FLORIDA, INC.**

DOCKET NO. 960786-A-TL

October 3, 2001

DOCUMENT NUMBER-DATE

12554 OCT-3 2001

FPSC-COMMISSION CLERK

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2 **REBUTTAL TESTIMONY OF DENISE C. BERGER**

3 **ON BEHALF OF**

4 **AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC.,**

5 **AT&T BROADBAND PHONE OF FLORIDA, LLC,**

6 **AND TCG SOUTH FLORIDA, INC.**

7
8 **DOCKET NO. 960786-A-TL**

9 **OCTOBER 3, 2001**

10

11 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

12 A. My name is Denise C. Berger. My business address is 1200 Peachtree Street,
13 N.E., Atlanta, Georgia 30309.

14 **Q. PLEASE DESCRIBE YOUR EDUCATION AND PROFESSIONAL**
15 **EXPERIENCE AS THEY RELATE TO ISSUES IN THIS PROCEEDING.**

16 A. I hold a Bachelor of Fine Arts degree from the University of Southern Mississippi
17 and a Master of Business Administration from the University of Houston with an
18 emphasis in Marketing and Management.

19 I am employed with AT&T as the District Manager for Supplier Performance in
20 AT&T's Local Services and Access Management Department for Alabama,
21 Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South
22 Carolina and Tennessee. As a district manager, my duties entail managing the

1 ongoing performance improvement of AT&T's local services suppliers in the
2 Southern Region for all local services AT&T offers. My team is responsible for
3 evaluating and managing the ongoing performance improvement of AT&T's
4 suppliers, including BellSouth Telecommunications, Inc. ("BellSouth"). We
5 evaluate and manage to resolution all client escalation requests. My team is
6 partnered with AT&T's internal product delivery and customer care organizations
7 to ensure our suppliers' performance meets or exceeds internal client direct
8 measures of quality.

9 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
10 **PROCEEDING?**

11 A. My testimony addresses BellSouth's inability to provide number porting in a
12 nondiscriminatory manner. As outlined below, BellSouth has failed to
13 demonstrate that it satisfies the requirements of the Act.

14 **Q. DO YOU ANTICIPATE THAT ANY OF THE ISSUES DISCUSSED IN**
15 **YOUR TESTIMONY WILL BE RESOLVED AS A RESULT OF**
16 **BUSINESS-TO-BUSINESS NEGOTIATIONS?**

17 A. No. The BellSouth Account Team assigned to resolve AT&T issues has informed
18 AT&T that it is unable to respond to AT&T regarding local service issues that
19 have been raised in any regulatory forum.¹ AT&T thus must choose resolution of
20 its issues either through business-to-business negotiations or through a regulatory
21 body, but not both. In light of BellSouth's policy change (previously BellSouth's

¹ See Letter from Bernadette Seigler of AT&T to Jan Flint of BellSouth, June 29, 2001, attached as Exhibit DCB-1.

1 Account Team would work with AT&T to address issues, even those that were the
2 subject of regulatory proceedings), I do not expect that AT&T will be able to
3 negotiate and resolve any issues with BellSouth in a timely fashion.

² 47 U.S.C. §§ 251(b)(2), (c)(3).

³ 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) at ¶ 291 (“*Bell Atlantic New York Order*”). The FCC has articulated a similar standard for UNE Loop hot cuts in prior orders, holding that a BOC “must demonstrate that it can coordinate number portability with loop cut-overs 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)(“*Second Louisiana Order*”), at ¶ 279.

⁴ 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, at ¶ 256 (rel. June 30, 2000) (“*SWBT Texas Order*”).

⁵ See *Bell Atlantic New York Order* at ¶ 291; see also *Second Louisiana Order* at ¶ 279.

⁶ 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) at ¶ 122 (“*Verizon Massachusetts Order*”).

⁷ *Id.* at ¶ 122.

⁸ Although unbundled loops and number portability may be provided separately, AT&T most often orders the two items together as part of a hot cut.

⁹ *Bell Atlantic New York Order* at ¶ 291 n.925.

¹⁰ Prior to the May 15, 2001 Memorandum of Understanding (“MOU”) reflecting AT&T’s and BellSouth’s Hot Cut process, the FOC was defined as a “Firm Order Confirmation.”

¹¹ The Georgia Public Service Commission required AT&T and two other ALECs in Georgia to conduct an initial data reconciliation with BellSouth regarding UNE-Loop hot cuts from September 11 through November 3, 2000.

1 **I. LOCAL NUMBER PORTABILITY (ISSUE 12)**

2 **Q. WHAT IS BELLSOUTH'S LEGAL OBLIGATION REGARDING**
3 **NUMBER PORTABILITY?**

4 A. Section 271(c)(2)(B) of the Act requires a BOC to comply with the number
5 portability regulations adopted by the FCC pursuant to section 251.¹⁸ Section
6 251(b)(2) requires all LECs “to provide, to the extent technically feasible, number
7 portability in accordance with requirements prescribed by the Commission.”¹⁹

¹² BellSouth witnesses have testified in other jurisdictions that actual processing of a partially-mechanized order generally takes less than one hour.

¹³ This Commission has not yet adopted a performance measurements plan. Performance measurements will be considered along with the ongoing third-party test in Docket No. 960786-TL.

¹⁴ A Fully Mechanized order measurement is defined by BellSouth's Service Quality Measurement Plan (“SQM”) in Georgia, version 1.01 (April 6, 2001) as “[t]he elapsed time from receipt of a valid electronically submitted LSR (date and time stamp in EDI, LENS, or TAG) until the LSR is processed, appropriate service orders are generated and a Firm Order Confirmation is returned to the ALEC via EDI, LENS, or TAG.

¹⁵ A Partially Mechanized order measurement is defined by BellSouth's Service Quality Measurement Plan (“SQM”) in Georgia, version 1.01 (April 6, 2001) as “[t]he elapsed time from receipt of a valid electronically submitted LSR (date and time stamp in EDI, LENS, or TAG) which falls out for manual handling until appropriate service orders are issued by a BellSouth service representative via Direct Order Entry (DOE) or Service Order Negotiation Generation System (SONGS) to SOCS and a Firm Order Confirmation is returned to the ALEC via EDI, LENS, or TAG.

¹⁶ Exhibit DCB-4, attached hereto, illustrates the CFA check. The CFA check determines whether the cable and pair assignments at AT&T's collocation space and at BellSouth's Main Distributing Frame match. It requires looking into both AT&T's and BellSouth's software databases to identify the status of the physical assignment of cable and pairs connecting AT&T's point of termination to BellSouth's network. The status of the assignment should be either active or spare. If both assignments are spare, the CFA verification step proceeds. If the cable pair assignment is not properly matched, however, both companies will encounter rework activities in order to obtain a new cable pair for the customer's requested order.

¹⁷ Exhibit DCB-6 is a chart showing a breakdown of average answer times for BellSouth's retail customers that call BellSouth's Residential Service Center and Business Service Center, and average answer times for ALECs calling BellSouth's Local Carrier Services Center.

¹⁸ 47 U.S.C. § 271(c)(2)(B)(xii).

¹⁹ *Id.*, § 251(b)(2).

1 Accordingly, BellSouth must provide number portability in a manner that allows
2 users to retain existing telephone numbers “without impairment in quality,
3 reliability, or convenience.”²⁰ The FCC states that these rules require that any
4 long-term number portability method “does not result in any degradation in
5 service quality or network reliability when customers switch carriers.”²¹

6 **Q. MR. MILNER CLAIMS THAT BELLSOUTH IS PROVIDING LOCAL**
7 **NUMBER PORTABILITY IN ACCORDANCE WITH THE FCC’S**
8 **RULES? DO YOU AGREE?**

9 A. No. Although he addresses quantity of numbers ported, Mr. Milner fails to
10 address the quality of BellSouth’s LNP processes, nor does he address the
11 problems AT&T and its customers are experiencing with LNP.

12 **Q. WHAT IS NUMBER PORTABILITY?**

13 A. LNP is a network feature that allows a telephone number that originally was
14 assigned to one switch to be ported to a second switch. This feature gives
15 customers the ability to change local service providers without changing their
16 telephone number. The FCC mandated that the Local Routing Number (“LRN”)
17 method of LNP be deployed under industry guidelines developed by the Local
18 Number Portability Administration working group (“LNPA”) of the FCC’s North
19 American Numbering Council (“NANC”). LRN allows the re-homing of
20 individual telephone numbers to other switches through an addressing and routing

²⁰ *Id.*

²¹ 47 CFR ¶ 52.23(a)(5).

1 scheme that uses the SS7 signaling network and centralized databases. Each
2 public network switch is assigned a ten-digit LRN, and each customer's telephone
3 number is matched in a regional database with the LRN for the switch that serves
4 that telephone number.

5 **Q. WHAT IS THE IMPORTANCE OF THE AIN TRIGGER?**

6 A. The setting of a trigger in the switch currently serving the customer, the "donor"
7 switch, causes call termination in that switch for the particular telephone number
8 to be suspended and a query sent to the LNP database for routing information. If
9 the ALEC has not yet activated the port, the donor switch will route the call
10 within itself. If the ALEC has activated the port, the donor switch will be
11 instructed to route the call to the ALEC switch.

12 Simply stated, the AIN trigger puts the BellSouth switch on alert that the
13 customer is changing local service providers. When a call for the customer
14 arrives in the BellSouth switch, instead of automatically completing the call on
15 the old BellSouth loop, the trigger causes the switch to check whether the number
16 port has been activated by the ALEC. If it has, the BellSouth switch sends the
17 call to the ALEC switch for completion. If it has not, the BellSouth switch will
18 complete the call as it has in the past.

19 **Q. WHEN SHOULD THE AIN TRIGGER BE SET?**

20 A. The presetting of the trigger gives the ALEC the ability to control the activation
21 of number portability for the telephone number on the date agreed to with the
22 customer. According to national standards, BellSouth should preset AIN triggers

1 for all ported numbers in the donor switch on the day before the porting is to
2 occur. In some circumstances, translations must be manually set on the day the
3 number is ported for some types of telephone numbers such as Direct Inward Dial.
4 If BellSouth does not properly set the triggers or fails to do the manual
5 translations on or before the due date, the ALEC customer will lose some or all of
6 its ability to receive incoming calls.

7 **Q. WHY IS NUMBER PORTABILITY IMPORTANT?**

8 A. Number portability is the ability of users of telecommunications services “to
9 retain, at the same location, existing telecommunications numbers **without**
10 **impairment of quality, reliability, or convenience** when switching from one
11 telecommunications carrier to another.”²² In its initial order on number
12 portability, the FCC noted that number portability is essential to meaningful
13 competition in the provision of local exchange services and affirmed that number
14 portability provides consumers flexibility in the way they use their
15 telecommunications services and promotes the development of competition
16 among alternative providers of telephone and other telecommunications services.²³

17 The FCC has also recognized that:

18 a lack of number portability likely would deter entry by
19 competitive providers of local service because of the value
20 customers place on retaining their telephone numbers.
21 Business customers, in particular, may be reluctant to incur
22 the administrative, marketing, and goodwill costs

²² 47 U.S.C. § 153(30) (emphasis added).

²³ *First Number Portability Order* ¶ 28.

1 associated with changing telephone numbers. As indicated
2 above, several studies show that customers are reluctant to
3 switch carriers if they are required to change telephone
4 numbers. To the extent that customers are reluctant to
5 change service providers due to the absence of number
6 portability, demand for services provided by new entrants
7 will be depressed. This could well discourage entry by new
8 service providers and thereby frustrate the pro-competitive
9 goals of the 1996 Act.²⁴

10 **Q. HOW HAS NUMBER ASSIGNMENT IN LOCAL SWITCHES**
11 **TRADITIONALLY BEEN DONE?**

12 A. Historically, blocks of 10,000 numbers have been assigned to local switches. A
13 ten thousand block represents a complete NXX prefix in the North American
14 Numbering Plan (NPA-NXX-XXXX). New ALEC switches are assigned new
15 NXX prefixes and the ALEC is free to give phone numbers within the prefix to its
16 customers. However, approximately 80% of the customers migrating to an ALEC
17 choose to keep their old BellSouth number. These customers are able to do so
18 because incumbent LECs are required to provide number portability. When an
19 ALEC customer's number is ported, that number continues to be assigned to that
20 customer. It should not be reassigned to someone else.

21 **Q. DESCRIBE THE PROBLEM AT&T'S CUSTOMERS ARE**
22 **EXPERIENCING WITH REASSIGNMENT OF THEIR TELEPHONE**
23 **NUMBERS.**

24 A. BellSouth has a chronic number reassignment problem. When a telephone
25 number is ported to AT&T or another ALEC, the number belongs to the ALEC

²⁴ *Id.* ¶ 31 (citations omitted).

1 customer. Sometimes, however, BellSouth erroneously reassigns the number to a
2 new BellSouth line.

3 **Q. WHAT HAPPENS WHEN BELLSOUTH REASSIGNS A NUMBER**
4 **BELONGING TO AN AT&T CUSTOMER?**

5 A. When this happens, the AT&T customer receives calls from people who are
6 attempting to call the new BellSouth customer. This causes confusion and
7 inconvenience for the AT&T customer as well as the new BellSouth customer.
8 Exhibit DCB-8 outlines number reassignment problems that have affected several
9 of AT&T's customers.

10 **Q. DOES THE NUMBER REASSIGNMENT OCCUR SOON AFTER THE**
11 **CUSTOMER'S TRANSITION TO BELLSOUTH?**

12 A. No. This number reassignment problem can surface more than a year after the
13 number was ported. BellSouth's normal procedure when a customer discontinues
14 service is to place the number in a pool of numbers to be "aged" for one year
15 before it can be assigned to a new line. When BellSouth erroneously places an
16 ALEC customer's number in this pool, it postpones the manifestation of the
17 problem. The problem is like a time bomb waiting to explode and disrupt the
18 ALEC customer's business or residential telephone use. When the problem
19 occurs, customers blame it on their local service provider, the ALEC, even though
20 it is BellSouth's error.

1 **Q. DO BELLSOUTH CUSTOMERS EXPERIENCE NUMBER**
2 **REASSIGNMENT?**

3 A. This problem arises when a customer changes local service providers from
4 BellSouth to an ALEC and ports its number. BellSouth customers do not have
5 porting problems when they stay with BellSouth. This type of problem creates a
6 barrier that prevents ALECs from attracting and keeping customers.

7 **Q. HOW HAS AT&T ATTEMPTED TO REDUCE THE INCIDENCE OF**
8 **ERRONEOUS NUMBER REASSIGNMENT?**

9 A. There is no action that AT&T can take to reduce the incidence of number
10 reassignment, short of never porting a number from BellSouth.

11 **Q. PLEASE EXPLAIN WHAT IS A ZIP CONNECT OR “ODDBALL” CODE.**

12 A. BellSouth historically has assigned zip connect numbers, called “oddball” codes,
13 to certain BellSouth functions, such as retail support centers, network repair,
14 equipment repair, or testing. Zip connect numbers allow customers to use a
15 seven-digit telephone number for state-wide applications. Recently, BellSouth
16 has assigned such “oddball” codes to its retail customers.

17 **Q. WHAT PROBLEMS ARE ASSOCIATED WITH BELLSOUTH’S**
18 **ASSIGNMENT OF ODDBALL CODES TO RETAIL CUSTOMERS?**

19 A. There are two major problems with the assignment of oddball codes to BellSouth
20 retail customers. First, an ALEC’s local service customers cannot complete calls
21 to oddball codes unless the ALEC installs prohibitively expensive and duplicative
22 interconnection trunking to one BellSouth end office in each NPA in the LATA,
23 an inefficient result that is not required under the Act. Accordingly, ALEC local

1 service customers are unable to call BellSouth customers who have been assigned
2 these oddball codes. In addition, an ALEC local service customer who uses
3 BellSouth equipment is unable to contact BellSouth repair in the event of
4 equipment problems. AT&T has lost customers and others are threatening to
5 leave because they cannot complete calls to these numbers.
6 Second, oddball codes are internal to BellSouth and cannot be ported to ALECs.
7 This means that a BellSouth retail customer with an oddball code number would
8 have to change its number if it wanted to leave the incumbent local service
9 provider. Number portability is very important to customers. A customer with an
10 oddball code number that was considering changing local service providers could
11 be deterred from making the change because it would lose its established
12 telephone number. BellSouth's practice of assigning oddball codes to certain of
13 its retail customers therefore erects a barrier to competition for those customers.

14 **Q. WHAT IS A PARTIAL PORT?**

15 A. A partial port occurs when a customer chooses to migrate some, but not all, of its
16 lines to an ALEC. In that case, BellSouth ports only part of the customer's
17 service. For example, a business customer with ten lines might decide to try out
18 AT&T local service by having AT&T serve five of them.

19 **Q. WHAT PROBLEMS DOES BELLSOUTH HAVE WITH PARTIAL**
20 **PORTS?**

21 A. BellSouth has had difficulty porting a subset of a customer's numbers. This is
22 especially true if the main number, which BellSouth has used for billing, is ported

1 to an ALEC. BellSouth does not seem to be able to efficiently change the billing
2 telephone number for the customer. This can cause problems with the customer's
3 service on lines that stay with BellSouth. For example, if the customer wants to
4 change features or call in a trouble, BellSouth may not be able to handle the call.
5 This deficit in BellSouth's processes causes difficulty when the customer wants to
6 modify service to the lines that stay with BellSouth.

7 **Q. DOES THIS 'PARTIAL PORTING' PROBLEM AFFECT CUSTOMERS**
8 **WHO STAY WITH BELLSOUTH FOR THEIR LOCAL SERVICE?**

9 A. No. Once again, this problem only affects customers who have chosen to try out
10 service with an ALEC by allowing that ALEC to provide some of their local
11 service. When the customer experiences problems in this try out situation, the
12 customer may determine that it is too risky to proceed with allowing the ALEC to
13 become the customer's sole local services provider. The risk of suffering
14 complications with existing telephone service erects yet another barrier preventing
15 customers from leaving the incumbent local service provider and inhibiting
16 competition.

17 **Q. EXPLAIN WHAT YOU MEAN BY THE PHRASE "CALLING PARTY**
18 **INFORMATION."**

19 A. An important feature for some customers is the ability to have their name appear
20 on the caller identification boxes of recipients of their calls. This information
21 identifies the calling party. For example, a department store that contacts a
22 shopper wants the shopper to be able to identify the store as the caller. When that
23 department store changes local service providers from BellSouth to AT&T, the

1 department store should be able to keep the same telephone number and keep the
2 calling party information feature.

3 **Q. DOES BELLSOUTH'S SIGNALING SYSTEM 7 NETWORK PROVIDE**
4 **FOR CALLING PARTY IDENTIFICATION?**

5 A. No. The ability to be identified on a call recipient's caller identification box
6 depends upon the presence of ten-digit Global Title Translation ("GTT")
7 capabilities in the network carrying the call. BellSouth failed to implement ten-
8 digit GTT in the Signaling Transfer Points ("STP"s) in its Signaling System 7
9 ("SS7") network. Instead, BellSouth provided for only six-digit GTT, which can
10 identify the state or city where the call originated, but not the identity of the caller.
11 This is not a problem for customers whose local service is provided by BellSouth.
12 BellSouth dips their own Calling Name database and identifies the calling party.
13 However, when the customer changes his service to an ALEC and that ALEC
14 does not subscribe to BellSouth's Calling Name Database ("CNAM") service,
15 BellSouth, because it only dips six digits, can identify neither the calling party's
16 name nor his local service provider.

17 **Q. WHAT IMPACT DOES BELLSOUTH'S FAILURE TO IMPLEMENT**
18 **TEN-DIGIT GTT HAVE ON AT&T CUSTOMERS?**

19 A. If an ALEC subscribes to a database other than BellSouth's, that ALEC's
20 customers who port their numbers from BellSouth lose the ability to be identified
21 to call recipients who are BellSouth customers. If the department store that chose
22 AT&T as its local service provider telephones a customer or potential customer

1 who receives local service from BellSouth, the department store cannot be
2 identified on the call recipient's caller identification display.

3 **Q. HOW DO CUSTOMERS REACT TO THE LOSS OF CALLING PARTY**
4 **INFORMATION?**

5 A. AT&T has had complaints from customers throughout the BellSouth region
6 regarding this issue, and some customers have threatened to leave AT&T if the
7 problem was not fixed.

8 **Q. HOW DID BELLSOUTH RESPOND WHEN AT&T REQUESTED A FIX?**

9 A. When AT&T requested a fix, BellSouth offered the choice of an interim semi-
10 automated solution or a manual solution that would have required both companies
11 to resort to manual processes for each new AT&T customer. The interim semi-
12 automated solution would have cost AT&T over \$350,000 to implement, only to
13 throw it away when BellSouth fixes the real problem. Thus, the semi-automated
14 solution was not acceptable to AT&T at all, and the manual solution was not
15 acceptable except as a short-term solution. AT&T was forced to seek assistance
16 from a regulatory body to order BellSouth to promptly devise a permanent
17 solution. AT&T filed a complaint with the Tennessee Regulatory Authority that
18 led to a hearing on the issue.

19 **Q. WHAT RELIEF DID THE TENNESSEE REGULATORY AUTHORITY**
20 **PROVIDE TO AT&T?**

21 A. The Hearing Officer in the case found the following:

22 In conclusion, the Hearing Officer finds that: (1) the
23 number portability requirements found in the Telecom Act
24 and FCC rules as well as state statutes prohibiting anti-

1 competitive practices require BellSouth, as well as all other
2 local exchange carriers, to provide the network functions
3 necessary to deliver the caller's name to its subscribers
4 regardless of the caller's choice of carrier, and; (2) neither
5 six-digit GTT nor the interim solution of loading ALEC
6 numbers in BellSouth's CNAM database sufficiently
7 satisfy these number portability obligations, and: (3)
8 applicable number portability obligations do not mandate
9 the deployment of a specific technology such as ten-digit
10 GTT. For these reasons, BellSouth is ordered to make the
11 necessary network modifications to allow the calling
12 party's name to be delivered on all calls regardless of the
13 caller's local service provider. Such modifications shall be
14 in place no later than April 6, 2001.²⁵

15 The Hearing Officer concluded: "As detailed in this order, BellSouth clearly does
16 not comply with the legal mandates for providing number portability."²⁶

17 **Q. HAS THE FIX BEEN IMPLEMENTED IN FLORIDA?**

18 A. Not completely. Although BellSouth implemented the fix in South Florida in
19 May 2001, it will not be implemented in North Florida until November 2001.
20 Until then, AT&T and its North Florida customers will suffer adverse
21 consequences.

22 **Q. UNTIL THE FIX IS IMPLEMENTED, IS AT&T AT A COMPETITIVE**
23 **DISADVANTAGE?**

24 A. Absolutely. Before AT&T can use the interim manual workaround solution, it
25 would have to ask the potential customer if he wanted to continue having people
26 that receive calls from him to be able to see his name displayed with caller ID.

²⁵ Initial Order of Hearing Officer, Before the Tennessee Regulatory Authority, Docket No. 00-00971, pp. 14-15.

²⁶ *Id.*

1 **This would alert the customer that something is wrong with AT&T's service since**
2 **his name should always be displayed with caller ID. The permanent solution**
3 **should fix this problem by making the feature work as it does for BellSouth**
4 **customers.**

5 **Q. WHAT DOES THE PHRASE "SNAP BACK" MEAN?**

6 A. When a customer changes local service providers from BellSouth to an ALEC and
7 then immediately changes back to BellSouth, the rapid reversion to BellSouth-
8 provided service is known as a snap back. BellSouth reacquires the customer's
9 number and provides service.

10 **Q. WHAT CAUSES SNAP BACKS?**

11 A. Snap backs generally occur because a customer changes his mind about switching
12 to the ALEC. Snap backs are much more prevalent among residential, rather than
13 business, customers. A less common reason for a snap back is an AT&T facility
14 problem that prevents provision of service to the customer in question, resulting in
15 the need to return the customer to BellSouth service.

16 **Q. DOES BELLSOUTH HAVE A PROCEDURE FOR PERFORMING SNAP**
17 **BACKS?**

18 A. No.

19 **Q. DO OTHER ILECS LACK A SNAP BACK PROCEDURE?**

20 A. No. BellSouth is the only ILEC without a snap back procedure.

1 **Q. WHAT IS THE IMPACT ON FLORIDA CUSTOMERS OF**
2 **BELLSOUTH'S FAILURE TO IMPLEMENT A SNAP BACK PROCESS?**

3 A. An efficient snap back process is often necessary to assure continuity of service.
4 BellSouth's failure to provide reliable snap back causes customers in Florida and
5 other BellSouth states to risk loss of service in instances where the ALEC has
6 facility problems. Moreover, when a customer makes the choice to return to
7 BellSouth and is told it cannot do so immediately, the customer's needs are
8 frustrated. Customers understandably blame the ALEC.

9 **Q. WHAT IS THE IMPACT ON ALECS OF BELLSOUTH'S FAILURE TO**
10 **IMPLEMENT A SNAP BACK PROCESS?**

11 A. BellSouth's process failure impairs ALEC efforts to compete. Customers come to
12 know that when they switch to an ALEC it is all or nothing. If something goes
13 wrong they cannot immediately go back to BellSouth and may lose telephone
14 service. BellSouth's lack of a good process for snap back is anti-competitive.

15 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

16 A. Yes.

RE: June 12, 2001, AT&T/BellSouth Executive Meeting
Page 1 of 3



Bernadette M. Seigler
District Manager
OSS Interconnection SR
WR/SR LSAM

Room 12136 12th Floor
1200 Peachtree Street PROM I
Atlanta, GA 30309
404 810-8956
FAX 404 810-8605
PAGER 888 858-7243 PIN 125159
bseigler@ems.att.com

June 29, 2001

Jan Flint
BellSouth Telecommunications
1960 West Exchange Place
Suite 200
Tucker, Georgia 30084

RE: June 12, 2001, AT&T/BellSouth Executive Meeting

Dear Jan:

The purpose of this letter is to document the discussion between AT&T and BellSouth at our monthly Executive Meeting on June 12, 2001.

At the meeting, BellSouth, represented by Jan Flint and Bob Bickerstaff alone as Jan Burriss was on vacation, committed to provide the following:

1. A written process for requesting Billing Account Numbers (BANs). This process should provide sufficient detail to understand both BellSouth's and AT&T's responsibilities, as well as the expected time frames for delivery of the BAN to AT&T.
2. A detailed explanation of the OLNS "enhancement" or fix that BellSouth will deliver on June 22, 2001 along with an outline as to what AT&T's customers should hear once BellSouth removes the current prompts which reference BellSouth. AT&T requested this information prior to the June 22nd BellSouth fix. On June 25, 2001 AT&T received a fax letter that listed what BellSouth provided with the June 22nd fix to OS & DA via OLNS for AT&T OCN 8392.
3. When the Account Team receives calls from AT&T Local Work Center personnel, BellSouth will redirect the caller back to LSAM as was requested by BellSouth and agreed to by AT&T.

RE: June 12, 2001, AT&T/BellSouth Executive Meeting
Page 2 of 3



Bernadette M. Seigler
District Manager
OSS Interconnection SR
WR/SR LSAM

Room 12136 12th Floor
1200 Peachtree Street PROM I
Atlanta, GA 30309
404 810-8956
FAX 404 810-8605
PAGER 888 858-7243 PIN 125159
bseigler@ems.att.com

AT&T committed to the following:

1. A planning session will be scheduled to include AT&T Local Service and BellSouth SMEs to understand AT&T's plans and timeline for an UNE-P entry in North Carolina.
2. A planning session will be scheduled and/or information provided to discuss the North Point collocation acquisition.
3. Investigation into BellSouth's statements that other AT&T suppliers are not counting failures correctly.
4. Reminding all AT&T Local Work Center personnel to call LSAM for Local support, not the BellSouth Account team, as was requested by the BellSouth Account Team.

Also at this meeting AT&T's BellSouth Account Team informed AT&T that it is unable to respond to AT&T on local service issues that have been filed in any regulatory forum. Furthermore it was stated that the Account Team will listen to AT&T's concerns and take issues back to the appropriate persons within BellSouth, but cannot respond nor address our issues or concerns. The response from BellSouth to those issues or concerns brought to the attention of the Account Team would be provided to AT&T via the regulatory forum in which they were filed. Bob further explained that AT&T has two options: to bring the issues to the account team or bring the issues in the regulatory arena. As you stated, "It's your choice." Why the change in policy?

During the meeting, AT&T expressed its concern regarding this position. AT&T is concerned that BellSouth's policy removes the potential of solving local service issues in a timely business-to-business fashion. Additionally, this policy is likely to lead to more regulatory dockets and lengthens an already painfully slow process.

BellSouth further explained that any written responses sent to AT&T from the BellSouth Account Team, even operational or customer-affecting local service issues, must go through the BellSouth Legal External Review Team (ERT). We discussed, and you acknowledged, that this review will delay any responses sent to AT&T. Bob committed to work on improving the timeliness of the Account Team's turn-around on written responses to AT&T.

RE: June 12, 2001, AT&T/BellSouth Executive Meeting
Page 3 of 3



Bernadette M. Seigler
District Manager
OSS Interconnection SR
WR/SR LSAM

Room 12136 12th Floor
1200 Peachtree Street PROM I
Atlanta, GA 30309
404 810-8956
FAX 404 810-8605
PAGER 888 858-7243 PIN 125159
bseigler@ems.att.com

We would like to see our joint ability to quickly address and resolve problems evolve and mature into a process that works well and quickly – more like we are able to accomplish most of the time in the access environment. AT&T is respectfully requesting that BellSouth change its position, so that our companies can work together in a more productive fashion that will benefit our customers.

Sincerely,

A handwritten signature in cursive script that reads "Bernadette Seigler".

Bernadette Seigler

Cc: D. Berger – AT&T
B. Bickerstaff – BellSouth
J. Burriss - BellSouth
P. Nelson – AT&T
G. Terry – AT&T



Denise C. Berger
District Manager
Local Supplier Management

1200 Peachtree Street NE
Promenade I 12th Floor
Atlanta GA 30309
404 810-8644
FAX 404 810-8477
PAGER 900 258-0000 PIN 258
EMAIL deberger@att.com

August 7, 2000

VIA FACSIMILE: 770-491-9173
& VIA REGULAR U.S. MAIL

Ms. Jan Burriss
BellSouth Interconnection Services
Suite 200
1960 West Exchange Place
Tucker, GA 30084

RE: Duplicate Billing Problems

Dear Jan:

The purpose of this letter is to ask for your assistance in solving a problem with duplicate billing that AT&T and its customers have been experiencing for over a year.

We have referred several isolated instances of these duplicate billing issues to the account team in the past. The answer we have always gotten from the Account Team is that each instance was "isolated" or that it was "rep error." However, the AT&T Account Team supporting the Pep Boys account has recently informed us that of the approximately 100 Pep Boys locations that have transitioned from BellSouth to AT&T, 42 of them continue to get BellSouth retail bills for the same service. As far as we can tell, BellSouth fails to work the post port disconnect order through all of their systems, resulting in the customer's continuing to receive the BellSouth bills. This causes tremendous customer dissatisfaction. Additionally, it inhibits AT&T's ability to compete. Although this is a BellSouth problem, presented on a BellSouth retail bill, the customer perceives the problem to be caused by AT&T, since he never had the problem when he was a BellSouth customer. Further, based on AT&T's experience, customers will withhold payment from AT&T and BellSouth until the problem is resolved. There have even been instances of BellSouth's billing office turning customers over to a collection agency before fixing the problem.

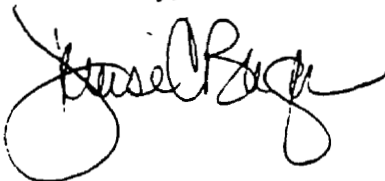
RE: Duplicate Billing Problems
Page 2

Additionally, AT&T resources are required to help the customer get the issue resolved. AT&T has had no choice but to adjust its "first bill validation" process to include verification of the telephone numbers and lines that were disconnected from their BellSouth bill. If a problem is found, AT&T's care center will attempt to work the issue back to the BellSouth LCSC. If, however, BellSouth's LCSC has been unwilling to resolve the customer's BellSouth billing issue with AT&T if its records show that the order is complete and the numbers ported in NPAC. This leaves AT&T with no means to resolve the customer's problems with BellSouth.

Many customers have attempted to resolve the issue directly with BellSouth, since technically it is an issue between the customer and BellSouth. When customers call the BellSouth retail business office to inquire about the billing, BellSouth refers the customer back to AT&T. The reason given to the customer is that AT&T must resolve the problem, since AT&T is acting as the customer's agent. AT&T must then orchestrate a call with all parties to explain the situation and get the issue resolved.

It appears that BellSouth has neither a clearly defined internal process for insuring that all orders are worked within the BellSouth systems nor a responsible party designated to resolve these duplicate billing issues. AT&T has not yet found a way to insure the billing has stopped from BellSouth beyond continuing to ask the customer to examine their BellSouth bill. Please advise me of BellSouth's plans to examine the internal ordering and completion processes. I would also like to understand BellSouth's plan to isolate and repair the associated process gaps. Finally, I will expect escalation names and contact information for the appropriate BellSouth representatives for ongoing resolution that can be used by our Customer Care centers. Your response by August 18, 2000, will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Terry". The signature is written in a cursive style with a large, looping initial "G".

cc: Greg Terry

Lane, Kacie

From: Magby, Tami
Sent: Saturday, May 19, 2001 4:51 PM
To: Lane, Kacie
Cc: Holmes, Sandra
Subject: double billing and 1 out of three #'s not ported

Importance: High

this customer was scheduled for service 4/3 and she requested 3 #'s be ported . well only 2 of the three were ported. [REDACTED] was not. [REDACTED] were both ported. the customer has a problem with bellsouth and billing and she wants this matter resolved asap. Kacie please help with getting this double billing issue resolved. also check the status of [REDACTED] to see why this tn was not ported. thanks Kacie

Lane, Kacie

From: Wyatt, Apryl
Sent: Thursday, May 10, 2001 11:28 AM
To: Lane, Kacie
Subject: double billed

[REDACTED] Customer name and phone number
customer is still rcving bill from bell. The bill date is 05/01 thru 05/31..They have not disco service
acct# [REDACTED]
thanks

Apryl Wyatt
Telephony Dept.
APWYAT@BRQADBAND.ATT.COM
770-559-2000