BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers.

DOCKET NO. 030851-TP

SURREBUTTAL TESTIMONY OF SHERRY LICHTENBERG

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.
AND

MCIMETRO ACCESS TRANSMISSION SERVICES LLC

January 28, 2004

1	Q.	PLEASE STATE YOUR NAME, EMPLOYER AND TITLE.
2	A.	My name is Sherry Lichtenberg. I am currently employed by MCI as Senior
3		Manager, Operational Support Systems Interfaces and Facilities Development.
4	Q.	ARE YOU THE SAME SHERRY LICHTENBERG WHO PROVIDED
5		DIRECT, REBUTTAL, AND SUPPLEMENTAL REBUTTAL
6		TESTIMONY IN THIS DOCKET?
7	A.	Yes.
8	Q.	WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY IN
9		THIS PROCEEDING?
10	A.	The purpose of my surrebuttal testimony is to address the Rebuttal Testimony of
11		BellSouth witnesses Kenneth L. Ainsworth, Ronald M. Pate, Alphonso J. Varner
12		and Milton McElroy with respect to Issues 4 and 5(c).

<p align="center">Introduction</p>

14	Q.	DOES BELLSOUTH PROVIDE EVIDENCE IN ITS REBUTTAL
15		TESTIMONY THAT ITS UNE-L ORDERING AND PROVISIONING
16		SYSTEMS CAN HANDLE MASS MARKET VOLUMES?
17	A.	No. As with its direct testimony, BellSouth focuses on its existing UNE-L
18		processes that currently handle low volumes of orders. BellSouth also submits
19		evidence of a third-party test done without the involvement of CLECs or the
20		Commission that evaluated aspects of BellSouth's batch hot cut process, but
21		involved only a few hundred orders submitted over the course of four days in
22		three central offices. I will discuss this testing later in my testimony.

1   Q.   **DOES BELLSOUTH ACKNOWLEDGE THAT IMPAIRMENT CAN**

2   **ARISE IF MIGRATIONS DO NOT TAKE PLACE SEAMLESSLY**

3   **BETWEEN ALL CARRIERS IN THE DIFFERENT SCENARIOS THEY**

4   **WILL ENCOUNTER?**

5   A.   No. Although BellSouth does not deny that problems exist in CLEC-to-CLEC

6   migrations, for example, BellSouth's position is that problems arising from

7   carriers other than itself are irrelevant to the impairment analysis, however real

8   those problems may be to the carriers involved and their customers. BellSouth

9   fails to recognize that in a fully competitive market, customers must be able to

10   move from carrier to carrier seamlessly as they do today in the long distance

11   market and, to a more limited degree, with UNE-P in the local market. This case

12   is not just about BellSouth's performance, but about the experience of all carriers

13   — and their customers.

14 Q.   **IS BELLSOUTH WILLING TO WORK COLLABORITIVELY WITH**

15   **CLECS TO IDENTIFY AND REMEDIATE OPERATIONAL**

16   **IMPAIRMENT?**

17 A.   No. Although BellSouth has participated in one workshop process in Florida with

18   respect to CSRs, its position generally is that its current UNE-L processes are

19   good enough and that CLECs should have the burden of identifying specific

20   problems and then requesting solutions through the change management process.

21   While the change management process (at least in theory) can work reasonably

22   well to make software changes to existing electronic processes, it is not suited to

23   transforming BellSouth's manual and complex UNE-L ordering and provisioning

1		systems so that they can provide seamless migrations in a facilities-based world.
2		Making such a transformation will involve a give-and-take process and require
3		the management and coordination of significant changes to BellSouth's systems
4		and processes over an extended period. Other ILECs, including SBC, Verizon
5		and Qwest, have worked collaboratively with CLECs to improve their batch hot
6		cut processes, reducing the number of contested issues dramatically and providing
7		a good first step toward addressing the entire UNE-L migration process.
8		BellSouth stands alone as the only RBOC that has refused to undertake such a
9		collaborative process.
10	Q.	BELLSOUTH CONTENDS THAT MCI IS SEEKING TO REQUIRE
11		BELLSOUTH TO IMPLEMENT ELECTRONIC LOOP PROVISIONING.
12		IS THAT THE CASE?
13	A.	No. MCI has not taken a position on AT&T's ELP proposal in these proceedings
14		or anywhere else. MCI believes that automation can be introduced into the hot
15		cut process in phases, beginning with automating the ordering and tracking
16		processes via an on-line due date scheduler and tracking system similar to
17		Verizon's WPTS, and ending with upgrades to BellSouth's physical plant that
18		will allow for the automated unbundling of loops and cutovers. MCI has not,
19		however, proposed a wholesale upgrading of that network as a precondition to a
20		finding of no impairment.
21		**Ordering Systems**
22	Q.	MR. PATE ASSERTS THAT FLOW THROUGH FOR UNE-L IS HIGH. IS
23		HE CORRECT?

1 A. No. The chart on page 6 of Mr. Pate's Rebuttal for May–July 2002 shows flow-

2   through calculations for "UNE," which includes both UNE-L and UNE-P. Thus,

3   the flow through shown in that category tells one little about flow through for

4   UNE-L, since the number of UNE-P orders dwarfs the number of UNE-L orders.

5   The chart on page 7 purports to show flow through of 86.19% for UNE-L orders

6   for August 2003. That number does not reflect the CLECs' experience however,

7   because all orders that fall out for manual processing by design are excluded from

8   consideration.

9 Q. **HAS BELLSOUTH PROVIDED A MORE ACCURATE PICTURE OF**

10   **UNE-L FLOW THROUGH IN ITS DISCOVERY RESPONSES?**

11 A. Yes, as I noted in my rebuttal, BellSouth provided data in response to AT&T

12   Interrogatory No. 28 showing the percentage of fully mechanized UNE-L

13   migration orders by region and by state. For the region the percentage of fully

14   mechanized UNE-L migration orders in August 2003 was 27.1% and for Florida

15   the figure was 23.7%.

16 Q. **IS MR. PATE ABLE TO EXPLAIN AWAY THESE FIGURES?**

17 A. No. Although Mr. Pate claims that these low percentages "should [not] be the

18   sole basis for the Commission to determine a finding of impairment," he has no

19   good explanation for them. The only difference between these percentages and

20   flow-through percentages that Mr. Pate points to at page 11 of his rebuttal is the

21   inclusion of manual orders, but in fact there were only 136 manual UNE-L

22   migration orders for the region in August 2003, as compared to 3120 mechanized

23   orders. Likewise, in Florida there were only 21 manual UNE-L migration orders

1		for the month, as compared to 1548 mechanized orders. Subtracting out the
2		manual orders only raises the percentage of fully mechanized orders for the month
3		to 24.0% for Florida and to 28.5% for the region.
4	Q.	**HOW DO YOU RESPOND TO MR. PATE'S CONTENTION THAT**
5		**BELLSOUTH'S PERFORMANCE WAS DEEMED ADEQUATE FOR 271**
6		**PURPOSES?**
7	A.	When BellSouth received authority to provide in-region long distance authority in
8		Florida, the only service delivery method by which CLECs were providing high
9		volume service to mass market customers was UNE-P. As the FCC found in the
10		*Triennial Review Order*, "the number of hot cuts performed by BOCs in
11		connection with the section 271 process is not comparable to the number that
12		incumbent LECs would need to perform if unbundled switching were not
13		available for all customer locations served with voice-grade loops." *Triennial*
14		*Review Order*, ¶ 469. The flow-through that might be acceptable for low volumes
15		of UNE-L orders could cause impairment for mass market volumes. And
16		mechanization percentages on the order of what BellSouth is providing, combined
17		with its manual provisioning processes, almost certainly would give rise to
18		impairment for CLECs attempting to submit high volumes of UNE-L migration
19		orders.
20	Q.	**PLEASE COMMENT ON THE CHART ON MECHANIZED LSRS THAT**
21		**APPEARS ON PAGE 8 OF MR. PATE'S REBUTTAL.**
22	A.	The fact that only 2.3% of BellSouth's electronic orders are for UNE-L
23		demonstrates the relative insignificance of UNE-L today as a mass market service

1   delivery method. Further, of the 17,943 mechanized UNE-L orders that were

2   submitted for the region in August 2003, only 3120 were for the migration of

3   BellSouth retail customers to CLEC UNE-L. (BellSouth Response to AT&T

4   Interrogatory No. 28.) This constitutes about 1.4% of the 228,326 mechanized

5   orders to migrate BellSouth retail customers to UNE-P. (BellSouth Response to

6   AT&T Interrogatory No. 32.)

7 Q. **WITH RESPECT TO LFACS, MR. PATE AT PAGE 13 RELIES ON FCC**

8   **271 RULINGS THAT BELLSOUTH PROVIDES THE SAME**

9   **INFORMATION TO CLECS AS IT PROVIDES TO ITSELF. PLEASE**

10   **RESPOND.**

11 A.   This issue must now be viewed in the mass market context. Although BellSouth

12   may provide the same information to CLECs as it does for itself, BellSouth still

13   has most of the customers, and thus it is the CLECs that will have to do most of

14   the migrating, at least at first. Inaccurate data will have a disproportionate impact

15   on CLECs attempting to place high volumes of UNE-L orders. It is therefore

16   critical that the LFACS database be accurate. Moreover, because high UNE-L

17   order volumes would lead to frequent LFACS changes (such as when changes are

18   made to IDLC loops), BellSouth should be required to update the database in real

19   time.

20 Q.   **DOES MCI HAVE ANY RECENT EXPERIENCE WITH THE LFACS**

21   **DATABASE?**

22 A.   Yes. During recent preliminary testing in Georgia, MCI submitted eight queries

23   to LFACS, which showed that six of the loops had IDLC and two were copper.

1		MCI received rejects for all eight orders on the ground that all eight were IDLC.
2		Either LFACS returned incorrect data, or the rejects contained inaccurate
3		information. (Of course, in addition, BellSouth should not have rejected the
4		orders on the grounds they were IDLC.) MCI intends to work with its account
5		team to better understand these rejects, but they point out potential problems with
6		the data in LFACs.
7	Q.	MR. PATE CONTENDS THAT NPAC CAN HANDLE INCREASED
8		VOLUMES FROM UNE-L. PLEASE RESPOND.
9	A.	Because mass market UNE-L volumes will be a new experience for the industry,
10		it remains to be seen whether NPAC can handle such volumes. Not all CLECs
11		participate in forecasting, and the current forecast does not include UNE-P to
12		UNE-L transitions. The Commission needs to be sure that the NPAC rules can
13		account for all the transactions that will take place. NPAC's metrics are not made
14		available to the public. The Commission and the industry need better insight into
15		this issue to ensure that there is not a replay of the wireless number portability
16		experience.
17	Q.	AT PAGE 20 OF HIS REBUTTAL, MR. PATE CONTENDS THAT
18		"CLEC-TO-CLEC MIGRATIONS ARE EXTRANEOUS TO THIS
19		DOCKET." DO YOU AGREE?
20	A.	No. For the reasons I have already discussed, if the industry has not developed a
21		seamless process for CLEC-to-CLEC migrations, CLECs will be impaired and
22		their customers will be harmed. All carriers, including ILECs, must be a part of
23		making this process work. Not only must ILECs be involved in facilitating

1		CLEC-to-CLEC migrations, but the same or similar processes must be employed
2		when a UNE-L customer migrates back to an ILEC.
3	Q.	**DO YOU AGREE WITH THE APPROACH TO THE CSR ISSUE THAT**
4		**MR. PATE SUGGESTS AT PAGE 25 OF HIS REBUTTAL?**
5	A.	I agree that BellSouth and the CLECs should deal with this issue collaboratively.
6		Other ILECs also should be involved in the process. I further agree that
7		performance measurements and remedies will need to be established. Where we
8		may disagree is that MCI believes that a clearinghouse much like CARE in long
9		distance should be established to facilitate the transmission of CSR information
10		between carriers.
11	Q.	**MR. PATE STATES AT PAGE 26 THAT CLECS DO NOT NEED**
12		**CIRCUIT IDs TO MIGRATE UNE-P CUSTOMERS TO UNE-L. IS THAT**
13		**WHAT YOU ASSERTED IN YOUR TESTIMONY?**
14	A.	No. My discussion of the need for circuit IDs concerned subsequent migrations
15		of UNE-L customers. As I acknowledged, circuit IDs are not an issue for the
16		initial migration from BellSouth to the CLEC. They are an issue, however for
17		subsequent migrations (including subsequent migrations to the ILEC), and it is
18		critical that the issue be addressed.
19		**Provisioning Systems**
20	Q.	**MR. AINSWORTH STATES THAT THE DATABASE UPDATES YOU**
21		**DISCUSSED IN YOUR TESTIMONY DO NOT REQUIRE**
22		**COORDINATION BETWEEN THE CLEC AND THE ILEC. IS THIS**
23		**CORRECT?**

1

2   A.   Only partially. MCI creates its database update transactions electronically but

3   cannot release them until BellSouth notifies it that the cutover has been

4   completed. As demonstrated by BellSouth's own so-called third party test, this

5   notification process is far from manual. The frame technician notifies the CWINS

6   center by telephone that the cut has been completed. (McElroy Rebuttal, p. 17.)

7   CWINS personnel complete the order in EnDI, which generates an email or fax to

8   the CLEC. The CLEC must track the receipt of these notifiers so that it may

9   initiate the LNP activation process. Customers will not be able to receive calls

10   until this process is complete.

11   Q.   **HOW CAN BELLSOUTH CORRECT THIS PROBLEM?**

12   A.   BellSouth should work with CLECs to develop an automated method for

13   notifying them that the conversion is complete. Verizon already has a real-time,

14   notification system that allows CLECs to track the process of their cutovers

15   without the manual coordination steps required by BellSouth, and SBC and Qwest

16   have agreed to develop such a tool. In addition, Verizon has announced that it is

17   working with the NPAC to determine how it can pull the LNP trigger for the

18   CLEC so that the risks to customers associated with missing this step can be

19   eliminated.

20   **Metrics**

21   Q.   **MR. VARNER, AT PAGES 2-3 OF HIS REBUTTAL, STATES THAT**

22   **BELLSOUTH DOES NOT MEASURE NON-COORDINATED**

23   **CUTOVERS IN ITS METRICS P-7 AND P-7A-C, BUT PLANS TO ADD**

1   **METRICS THAT WILL PROVIDE THIS INFORMATION. PLEASE**

2   **COMMENT.**

3 A.   MCI agrees that such metrics need to be added. Although Mr. Varner states that

4   the current lack of information on non-coordinated cutovers is not a problem

5   because they constitute only 3% of the current volume, these volumes will

6   increase in the future because residential UNE-L cutovers will be non-

7   coordinated. The lack of current data on these cutovers blocks the Commission

8   from being able to determine whether BellSouth's performance in this area

9   contributes to the impairment CLECs face.

10 Q.   **MR. VARNER CONTENDS THAT BELLSOUTH'S MANUAL**

11   **HANDLING OF UNE-L MIGRATION TASKS DOES NOT RESULT IN**

12   **ERRORS AND DELAY. HOW DO YOU RESPOND?**

13 A.   BellSouth's performance data is of limited value because CLECs are not

14   submitting large volumes of UNE-L orders. Moreover, the three hot cut metrics

15   Mr. Varner refers do not provide data on non-coordinated cutovers that MCI

16   would use for residential customers, and in any event only provide a small

17   window into the overall process, focusing on the hot cut itself and provisioning

18   troubles within seven days after the cutover.

19 Q.   **AT PAGE 6 OF HIS REBUTTAL, MR. VARNER CONTENDS THAT**

20   **BELLSOUTH'S PERFORMANCE DATA REFUTE YOUR CONCERN**

21   **ABOUT INCREASED OUT OF SERVICE TIMES AND CUSTOMER**

22   **HARM. PLEASE RESPOND.**

1   A.   As a preliminary matter, BellSouth's performance data only concerns the current

2   level of UNE-L circuits. Moreover, BellSouth's metrics only take into account

3   the BellSouth side of the equation. The fact that the circuit is "broken up"

4   between two carriers, going from BellSouth's facilities to the CLEC's collocation

5   and switch, could lead to greater outage times, which will not always be captured

6   by BellSouth's metrics.

Third Party Testing

8   Q.   MR. MCELROY DESCRIBES A THIRD-PARTY TEST PERFORMED BY

9   PRICEWATERHOUSECOOPERS ("PwC") FOR BELLSOUTH. DO YOU

10   HAVE ANY INITIAL CONCERNS ABOUT HOW THE TEST WAS

11   DONE?

12 A.   Yes. The test was performed without participation by CLECs or the Commission,

13   which casts doubt on its objectivity, completeness and conclusions. Because

14   BellSouth has provided only limited information about the test, it is impossible at

15   this juncture for CLECs to evaluate fully the test methodology or results.

16 Q.   PLEASE COMMENT ON THE SCOPE OF THE TEST.

17 A.   Only the lift and lay process was tested. Although PwC states that it issued orders

18   and reviewed the ordering process, there appears to be no data provided with

19   respect to the ordering process. Aspects of UNE-L migration such as LNP,

20   directory listings, trouble handling and 911 were not tested.

21 Q.   PLEASE COMMENT ON THE TEST METHODOLOGY.

22 A.   Without a test plan, it is difficult to know what PwC did or how it was done.

23   Based on what is provided in Mr. McElroy's testimony, it appears that the test bed

1		consisted of 750 lines that BellSouth wired to its frames in three central offices.
2		These lines were translated in the BellSouth switches, but did not go to a CLEC
3		collocation cage or switch. When the "migration order" was worked, the lines
4		were re-terminated on the CLEC portion of the BellSouth Main Distributing
5		Frames and then run back to the switches. According to BellSouth, most of the
6		orders were issued using BellSouth bulk ordering process.
7	Q.	**IS THERE ADDITIONAL INFORMATION THAT CLECS AND THE**
8		**COMMISSION WILL NEED TO DEVELOP ABOUT THE TEST?**
9	A.	Yes. Among other things, we need to learn about the type of orders that were
10		issued, what happened to each order and which orders resulted in the exceptions
11		that BellSouth has listed. BellSouth provides no data on the size of the original
12		bulk ordering requests, how many times they were rejected (if at all), and whether
13		the due date was the same for all the individual orders. BellSouth also provides
14		no data on other cuts taking place at these central offices at the same time as the
15		bulk migrations. In addition, it is not clear at this stage how IDLC lines were
16		handled.
17	Q.	**PLEASE COMMENT ON THE EXCEPTIONS NOTED BY PWC.**
18	A.	For 22 lines, no dial tone was detected prior to the cut, but the cuts were done
19		anyway. If this problem existed for a live customer, and the trouble was on the
20		loop, the customer would have continued to have problems after the cut. If
21		customer were suspended or had had dial tone removed for some reason, the
22		CLEC would not have wanted the cut to proceed.

12

1   For 3 lines, the was no dial tone for longer than 20-40 minutes, with no

2   explanation given. The result for a real customer would be the inability to make

3   calls during this period.

4   Two lines were cut on the wrong due date (one early and one late). In the

5   case of an early cut, the CLEC might not have completed translations, leaving the

6   customer with no dial tone. Or the CLEC might not be ready to activate the LNP

7   transaction, leaving the customer unable to receive calls. The customer would

8   call for service, the CLEC would report to it to BellSouth as a UNE-P line, and

9   BellSouth would show no record of the customer existing, which could take

10   considerable time to resolve. A similar problem could occur if the cut were late.

11   The CLEC would assume the order was rejected and would pull its translations

12   from the switch and submit a new order to BellSouth. Indeed, a late cut is

13   potentially more disruptive than an early cut.

14   One line was cut even though the telephone number was wrong. In such a

15   case the wrong customer would have been migrated. The losing CLEC would

16   receive a loss notice and stop billing the customer. The gaining CLEC would not

17   bill the new customer since no order was placed for that migration. If the

18   customer reported trouble to the losing CLEC, it would not be able to resolve it,

19   since according to BellSouth, it would no longer own the customer. If trouble

20   were reported to the new CLEC, it would turn the customer away, since the

21   customer would not be in its database. BellSouth provides no explanation of why

22   this problem happened. It simply says it was "resolved" by working with the

23   pseudo CLEC.

13

1   For six lines, CLEC dial tone was not tested prior to the cut. If CLEC dial

2   tone had not been present, the customer would have been migrated with no dial

3   tone.

4   For 47 (according to BellSouth) or 49 (according to PwC) lines, no

5   cutover notification was given. In a non-coordinated cut (which MCI will use for

6   residential customers), BellSouth notifies CLECs of the cut via a fax or email

7   apparently generated by the EnDI system. Testing showed that this system failed

8   on at least one day and presumably more, causing 47 (or 49) notifications to be

9   "misplaced" and not sent. CLECs would have assumed that the customer was not

10   cut over and thus would not have activated the LNP transaction. The customer

11   would have been unable to receive calls. The CLEC would not be aware of the

12   problem until the customer called to complain. The CLEC would then have to

13   work with BellSouth to figure out what the problem was, a process that would

14   take time and cause customer dissatisfaction.

15   Q.   IS THIS A SMALL NUMBER OF PROBLEMS?

16   A.   No. Out of the 724 orders observed, 81 problems were noted, or 11% of the total.

17   Just based on the limited information made available to CLECs about the test,

18   therefore, it is clear that BellSouth's batch hot cut process is flawed and that its

19   use would result in significant harm to consumers.

20   Q.   DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?

21   A.   Yes, it does.