

ORIGINAL**Timolyn Henry**

From: Barclay, Lynn [Lynn.Barcly@BellSouth.com]
Sent: Thursday, March 24, 2005 10:44 AM
To: Filings@psc.state.fl.us
Cc: Fatool, Vicki; Peters, Evelyn; Linda Hobbs; Nancy Sims; Holland, Robyn P; Bixler, Micheale; Slaughter, Brenda ; Mays, Meredith
Subject: RE: 041269-TL BellSouth Bayó Letter re CLLI
Attachments: 041269.pdf

- A. Lynn Barclay
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- B. Docket No. 041269-TL: In re: Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law
- C. BellSouth Telecommunications, Inc.
on behalf of Meredith Mays
- D. 5 pages total
- E. Letter to Blanca S. Bayó regarding CLLI.
- <<041269.pdf>>

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Meredith Mays
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March 24, 2005

Ms. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket Nos. 041269-TL; 050170-TP; 050171-TP

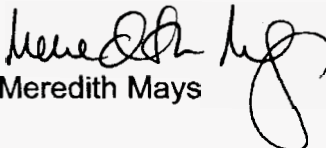
Dear Ms. Bayó:

On March 4, 2005, BellSouth filed its Response in Opposition to an Emergency Petition filed by Nuvox/NewSouth, KMC, and Xspedius in this docket. Included with that filing was a copy of BellSouth's February 18, 2005 letter to the FCC, which included a list of the Common Language Location Identifier ("CLLI") codes of wire centers that BellSouth identified as satisfying the Tier 1, Tier 2, and Tier 3 criteria for dedicated transport and dark fiber as well as the CLLI code for the wire centers that BellSouth identified as satisfying the nonimpairment thresholds for DS-1 and DS-3 loops.

On March 23, 2005, BellSouth notified the FCC that it had discovered an error with the information it had previously provided. A copy of BellSouth's March 23, 2005 letter to the FCC is attached for the Commission's information. BellSouth will provide the Commission with updated information when it is available.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


Meredith Mays

Enclosures

cc: Parties of Record
Nancy White

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CERTIFICATE OF SERVICE
Docket No. 041269-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail and FedEx this 24th day of March, 2004 to the following:

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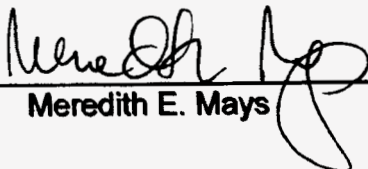
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Meredith E. Mays

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March 23, 2005

Jeffrey J. Carlisle
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Unbundled Access to Network Elements*, WC Docket No. 04-313;

Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-338

Dear Mr. Carlisle:

At your request, BellSouth filed with the Commission on February 18, 2005, a list by Common Language Location Identifier ("CLLI") code of those wire centers that satisfied the nonimpairment thresholds for high-capacity loops, transport and dark fiber as adopted by the Commission in its *Triennial Review Remand Order*.¹ Since this filing, BellSouth has provided similar information and supporting data to Competing Local Exchange Carriers ("CLECs") as well as responded to numerous questions from CLECs about the methodology BellSouth used to identify these wire centers.

In preparing these data and responses, BellSouth recently discovered an error in the mathematical formula that was used to count retail digital access lines on a per 64 kbps-equivalent basis, as required by the Commission's rules. This error impacted only retail business line counts and did not affect the quantity of UNE-loops, which were correctly stated on a per 64 kbps-equivalent basis. However, as a result of this error, retail business lines were overstated, and thus the wire centers meeting the Commission's nonimpairment thresholds were not correctly identified in BellSouth's February 18, 2005 filing.

¹ *Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order on Remand (Feb. 4, 2005) ("*Triennial Review Remand Order*").

BellSouth understands the necessity of correctly implementing the Commission's nonimpairment thresholds and recognizes that it is only entitled to unbundling relief in or between those wire centers where the Commission has determined CLECs are not impaired without unbundled access to high-capacity loops, transport, and dark fiber. Because of the importance of the Commission's unbundling determinations and because both the Commission and the industry must know with certainty where those wire centers are located, BellSouth has retained an independent third party to review the methodology BellSouth utilized in implementing the nonimpairment thresholds set forth in the *Triennial Review Remand Order* and to identify the specific wire centers where those thresholds have been met. Once this independent third-party review is complete, BellSouth will provide the Commission and the industry with the results.

This independent, third-party review should not delay implementation of the *Triennial Review Remand Order* in BellSouth's region. Before the Commission's unbundling rules took effect on March 11, 2005, state commissions in Alabama, Georgia, and Kentucky had ordered BellSouth to continue providing unbundled switching and high-capacity facilities until BellSouth's interconnection agreements have been amended. In order to allow its other state commissions to consider the issue, BellSouth advised CLECs and state regulators that it would not reject orders for unbundled switching and high-capacity loops, transport and dark fiber until the earlier of: (i) issuance of an order from an appropriate body, either a commission or a court, allowing BellSouth to reject these orders; or (ii) April 17, 2005. This independent, third-party review will be completed and the results disseminated before BellSouth rejects, or challenges through dispute resolution, any orders for new unbundled high-capacity loops, transport, and dark fiber pursuant to the *Triennial Review Remand Order*.

BellSouth sincerely regrets this error and apologizes for any inconvenience that it has caused. Please let me know if you have any questions or need additional information.

Yours very truly,



Bennett L. Ross

BLR:kjw

cc: Daniel Gonzalez
Matthew Brill
Jessica Rosenworcel
Scott Bergmann

Michelle Carey
Thomas Navin
Jeremy Marcus
Pamela Arluk