

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 960786-TL

Consideration of BellSouth
Telecommunications, Inc.'s
Entry into interLATA services
pursuant to Section 271 of the
Federal Telecommunications
Act of 1996.



SIXTH DAY - MIDMORNING SESSION

VOLUME 26

Pages 2904 through 2960

PROCEEDINGS: HEARING

BEFORE: CHAIRMAN JULIA L. JOHNSON
COMMISSIONER J. TERRY DEASON
COMMISSIONER SUSAN F. CLARK
COMMISSIONER DIANE K. KIESLING
COMMISSIONER JOE GARCIA

DATE: September 10, 1997

TIME: Commenced at 9:05 a.m.

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: H. RUTHE POTAMI, CSR, RPR
Official Commission Reporter

APPEARANCES:

(As heretofore noted.)

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1 with BellSouth concerning the operational agreements
2 and interfaces needed for AT&T to enter the local
3 market. My testimony explains how the operations
4 support systems interfaces that BellSouth describes do
5 not meet the requirements of Sections 251 and 271 of
6 the Act, the implementing orders of the FCC, or your
7 own orders supporting the development of local
8 competition.

9 BellSouth has told you that they have done
10 everything they need to do and that their proposed
11 interfaces are nondiscriminatory. This just isn't so.
12 BellSouth has done considerable work to develop
13 interfaces in the past year.

14 Their work has provided useful, incremental
15 improvements over an existing collection of ad hoc
16 interim interfaces, but much remains to be done before
17 these interfaces will be discriminatory. You should
18 not confuse improvement with nondiscriminatory access.

19 The Act and the FCC describe the five
20 characteristics of nondiscriminatory interfaces shown
21 on my first summary chart here to my right. Such
22 interfaces must serve new entrants seeking either
23 resale services or unbundled network elements; not one
24 or the other, but both.

25 In paragraphs 137 and 217 of its recent

1 order rejecting Ameritech's petition, the FCC
2 confirmed these characteristics as requirements a BOC
3 must demonstrate it has met.

4 The first characteristic is that a
5 nondiscriminatory interface is electronic. It exists
6 between the operations support systems of the
7 incumbent and the new entrant. It requires no more
8 human intervention in a transaction than is
9 necessarily involved when the incumbent performs that
10 similar transaction for itself. Has BellSouth met
11 this requirement? No, not yet.

12 Secondly, the functionality of a
13 nondiscriminatory interface provides new entrants with
14 the capabilities necessary to perform support
15 functions with the same level of quality, efficiency,
16 and effectiveness as the incumbent provides to its own
17 enterprise. Has BellSouth met this requirement? No,
18 not yet.

19 Third, a nondiscriminatory interface is
20 documented adequately and sufficiently in advance to
21 allow a new entrant a reasonable opportunity to
22 develop and deploy necessary systems and processes and
23 employee training to use the interface. Has BellSouth
24 met this requirement? No, not yet.

25 Fourth, a nondiscriminatory interface has

1 capacity to meet the combined market volumes of all
2 new entrants with response times that are equivalent
3 to those which the incumbent itself enjoys. Has
4 BellSouth met this requirement? No, not yet.

5 Fifth, industry standards are an important
6 characteristic. A nondiscriminatory interface does
7 one of two things. It either complies with existing
8 national telecommunications standards, or it eases the
9 transition to evolving national standards where none
10 presently exist. Has BellSouth met this requirement?
11 No, not yet.

12 AT&T's experience with an analysis of the
13 interfaces that BellSouth describes has revealed
14 several things: First, that the interfaces have
15 design differences which disadvantage new entrants
16 depending upon a new entrant's size and choice of
17 interface.

18 All carriers, regardless of their size or
19 the sophistication of their own operations support
20 systems, are required to have manual processes to
21 perform functions which BellSouth has automated for
22 itself. Manual processes can never be as efficient as
23 the machine-to-machine transfer of information which
24 BellSouth uses.

25 AT&T's experience has also revealed that the

1 interfaces fail to provide new entrants with
2 capabilities and information available to BellSouth.
3 As you saw last week, information on products and
4 services, information on the availability of telephone
5 numbers, information -- or the capability to
6 automatically populated ordering data from existing
7 information in BellSouth's databases are available to
8 BellSouth, but are not extended to the new entrants by
9 the proposed interfaces.

10 You saw that NXX information, for example,
11 was not available to new entrants. Summaries of
12 orders are not available to new entrants.

13 AT&T's experience has revealed, thirdly,
14 that the interfaces fail to provide new entrants with
15 capabilities endorsed by industry standards
16 guidelines.

17 Again, as you saw last week, BellSouth has
18 not provided for the electronic ordering of the full
19 range of network elements and combinations, including
20 the loop switch port combination endorsed by industry
21 standards bodies and by your own orders.

22 AT&T's experience has fourthly revealed that
23 there are gaps in the design of these interfaces which
24 make using them inefficient for new entrants. Most
25 edits which occur in BellSouth's ordering system occur

1 while the customer service representative is on line
2 with the customer and actually composing the order
3 that will be used.

4 In contrast, most edits in the interfaces
5 proposed for new entrants occur after the new entrant
6 has hung up from his customer, no longer is in
7 contact, and has actually submitted the order to
8 BellSouth.

9 What this means is that when a BellSouth and
10 a new entrant customer service representative both
11 make the same input error -- and let's just say
12 selecting two services that will not work with each
13 other -- the BellSouth error is identified and must be
14 corrected before that order can be submitted, while
15 the new entrant's error -- order is actually allowed
16 to be submitted in error, and then must be returned to
17 the new entrant for correction. The rejects which
18 come back to us are returned if you're using the
19 industry standard EDI interface, by either facsimile
20 or telephone call. There is no electronic reject
21 capability in the EDI interface today.

22 Other examples of inefficiency, as you saw
23 last week, included the requirement to repeatedly
24 validate the same address in order to gather
25 information needed to prepare an order for a new

1 installation. You saw that it had to be done three
2 times, the same information input to get new
3 information out.

4 You also saw an uncompleted search to
5 identify the PIC code for U.S. West. I think we
6 stopped after about six or eight screens. That
7 identifying code could well have been on the thirtieth
8 screen.

9 You also saw that there are unnecessary
10 restrictions on the telephone number reservation
11 process. Has BellSouth provided nondiscriminatory
12 interfaces? No, not yet.

13 Now I'd like to direct you to my second
14 summary chart, which I refer to as a swim lane chart.
15 This chart will help us to see how the interfaces
16 BellSouth describes fail to meet the requirements of
17 nondiscriminatory access.

18 If you look first at the upper swim lane,
19 you'll see how BellSouth's customer service
20 representative is talking with their customer and
21 simultaneously working with the appropriate BellSouth
22 operations support system, and only BellSouth's
23 operation support system.

24 The actions of the BellSouth customer
25 service representative, or possibly a repair

1 attendant, cause all of BellSouth's downstream systems
2 and databases to be updated or to perform their
3 functions without further human intervention, except
4 as BellSouth itself determines. So everything that
5 you see below the operations support systems icon on
6 BellSouth's side is updated by the input of that one
7 service representative.

8 Looking at the middle swim lane, you see
9 what a nondiscriminatory interface incorporating all
10 of the characteristics required by the Act and the FCC
11 would look like.

12 In the blue section on the left, we see a
13 new entrant's customer service representative talking
14 with its customer working with the new entrant's
15 operations support system and only that system. This
16 is the same situation that exists for BellSouth, its
17 customer service representative and its customer, as
18 depicted in the upper swim lane.

19 In this middle lane, then, using the
20 interface, the large yellow double-headed arrow that
21 flows between the red and the blue sides, the new
22 entrant's and BellSouth's operations support systems
23 treat each other as extensions of themselves.

24 As a result of the new entrant's customer
25 service representative's actions, information which is

1 in BellSouth's operations support systems flows
2 directly to the appropriate downstream operations
3 support systems and databases of the new entrant
4 without further human intervention, except as if the
5 new entrant determines.

6 The reverse is also true. Information on
7 the new entrant's side in their databases produced by
8 their service representative flows across the
9 interface and downstream into BellSouth's systems and
10 databases without further human intervention.

11 In other words, the inputs of the new
12 entrant's customer service representative are the
13 single source which updates and retrieves information
14 from all of the systems and databases used in both the
15 new entrant's daily operations and in BellSouth's
16 daily operations in support of the new entrant. Has
17 BellSouth provided interfaces that work this way? No,
18 not yet.

19 In the bottom swim lane, we see a depiction
20 of the interfaces that BellSouth describes. Look
21 carefully at what has happened in the blue section on
22 the left. The new entrant's customer service
23 representative is still talking with their customer,
24 but now must work with both the new entrant's
25 operations support systems and BellSouth's. This is

1 clearly not the same situation that BellSouth enjoys.

2 The interfaces BellSouth describes force a
3 new entrant's customer service representative to
4 manually perform the functions of an electronic
5 interface gateway. They must validate information.
6 Is this right? They must translate the information.
7 Okay. What format should it be in for the next place
8 it has to go? And they must then input that
9 information into the proper system manually.

10 This is true of the local exchange
11 navigation system known as LENS, the trouble analysis
12 facilitation interface known as TAFI, and the personal
13 computer-based EDI interexchange package which were
14 demonstrated here last week.

15 BellSouth provides no operational interfaces
16 today which have the required characteristics listed
17 on my first chart or provide a new entrant with the
18 opportunity to have the same functional access to
19 operations support systems enjoyed by BellSouth.
20 BellSouth's proposed interfaces do not meet the
21 requirements stated by the FCC in paragraphs 130 and
22 137 of the Ameritech order.

23 Two separate interfaces, one for preordering
24 known as LENS and one for ordering known as EDI, for a
25 new entrant, while BellSouth enjoys the integration of

1 those functions -- they do them all together in both
2 the regional negotiation system and the direct order
3 entry system -- is clearly discriminatory.

4 You saw demonstrations of LENS and the
5 personal computer-based EDI package last week. They
6 look very pretty. Modern computer presentation
7 systems are very human oriented, but the test of an
8 interface is not its beauty, it is its functionality.

9 As BellSouth's own testimony confirms, the
10 functionality of the systems they're offering to new
11 entrants is inferior to that which exists in the
12 regional negotiations system and the direct order
13 entry system.

14 Likewise, BellSouth's refusal to allow new
15 entrants to submit their own orders for complex
16 services is discriminatory. BellSouth has testified
17 that the services it allows a new entrant to order
18 electronically represent 80% of their basic local
19 services revenue.

20 In Florida, the remaining 20% is a
21 \$376 million market to which BellSouth is controlling
22 new entrants' access and denying new entrants a
23 meaningful opportunity to compete.

24 This means that BellSouth has made itself
25 the only efficient total service provider of local

1 service plus long distance to businesses who purchase
2 local complex services.

3 I estimate that this market in Florida is
4 more than one and a half billion dollars a year. Let
5 me say that again. BellSouth's policy will allow it
6 to control access to a market in Florida worth more
7 than one and a half billion dollars. This is clearly
8 discriminatory.

9 BellSouth has repeatedly pointed out that
10 the electronic data interchange, or EDI, is an
11 industry standard for ordering by new entrants. Let's
12 take a minute to consider that interface as proposed
13 by BellSouth.

14 There are two versions of BellSouth's EDI.
15 There is a mainframe version and a personal computer
16 version. There is today only one mainframe interface
17 for EDI functioning. It is the interface that was
18 jointly developed by AT&T and BellSouth last year. It
19 does not have the functionality or capabilities
20 Ms. Calhoun discussed or which are described in the
21 BellSouth local exchange ordering implementation
22 guide. There is no mainframe EDI interface with those
23 capabilities.

24 Why, you ask? Very simply, the LEO
25 implementation guide, which BellSouth has produced

1 unilaterally, has been issued five times since
2 December of 1996. Actually, twice in December, then
3 again in February, April, and July. Each issue was
4 produced without advanced notice or input -- advanced
5 notice to or input from new entrants.

6 BellSouth does it in the back room under the
7 table and then throws it over the wall. No one can
8 hit the target that's moving this quickly when they
9 have no advance warning where it's going. The one
10 functioning mainframe interface today requires manual
11 intervention and is discriminatory.

12 The EDI interface that BellSouth describes
13 and that they demonstrated here last week exists only
14 in the form that you saw, a personal computer-based
15 EDI package developed from BellSouth's specifications;
16 not by BellSouth, but by Harbinger software.

17 As BellSouth demonstrated, it requires
18 manual intervention, is not integrated with the LENS
19 preordering capabilities, and does not provide new
20 entrants with capabilities that exist in the RNS
21 system or the DOE system.

22 The industry's use of these interfaces is in
23 its infancy. BellSouth has testified that LENS and
24 EDI combined have handled less than 10,000 orders, and
25 that TAFI has handled 1,000 reports across all nine

1 states, LENS and EDI less than 10,000 orders,
2 including exactly zero orders for unbundled network
3 elements.

4 At paragraphs 138 and 161 of the Ameritech
5 order, the FCC states that it will examine operational
6 evidence from actual commercial operation in
7 performing its evaluation of any BOC applications and
8 that it will consider that evidence to be the most
9 probative type of empirical evidence that it sees.

10 Until these interfaces are handling
11 commercially significant volumes, the data necessary
12 to compare BellSouth's services to itself with what it
13 provides to new entrants will not be available.
14 BellSouth has provided no comparative data to support
15 its claims. Without this data, this Commission does
16 not have the information it needs to support a finding
17 that BellSouth is providing nondiscriminatory access.

18 In rejecting Ameritech's petition, the FCC
19 specifically cited a lack of meaningful performance
20 data for operational support systems and provided a
21 listing in paragraph 212 of seven additional OSS
22 performance measurements it would require in future
23 petitions over and above the data that Ameritech had
24 already submitted.

25 BellSouth has not provided this Commission

1 with data equal to that Ameritech submitted to the
2 FCC, let alone what the FCC now says will be required.

3 Exhibits 10 and 11 of my direct testimony
4 provide data collected by AT&T in Georgia during our
5 ongoing service and market readiness testings. This
6 data reflects performance from three different points
7 of view: First, that of AT&T's customer, the ultimate
8 beneficiary of competition in the local market;
9 second, that of AT&T's process in combination with the
10 processes of BellSouth; and, thirdly, that of AT&T as
11 a customer of BellSouth's own commitments.

12 This data shows BellSouth cannot provide
13 service today in accordance with its own commitments
14 or at levels normally required by this Commission.

15 Collectively, the interfaces which BellSouth
16 describes discriminate against new entrants by
17 increasing customer contact times, increasing error
18 rates, raising the number of late installations,
19 lengthening repair intervals, and raising a new
20 entrant's cost of doing business.

21 The resulting differences in customer
22 service will easily be noticed by a new entrant's
23 customers and will undermine both that individual new
24 entrant's plans and the development of competitive
25 choice for local service for all customers in Florida.

1 Customers dissatisfied with their ALEC experience will
2 tell others of their frustration, poisoning the well
3 for all new entrants.

4 There is a simple question this Commission
5 can use to know when parity and nondiscrimination have
6 been achieved. That question is this: Could
7 BellSouth conduct its current business operations as
8 effectively and efficiently as it does today with only
9 the interfaces it proposes for new entrants?

10 A review of BellSouth's own testimony will
11 clearly show that it could not. Is BellSouth
12 providing nondiscriminatory operations support
13 interfaces required by the Act? No, not yet.

14 Thank you.

15 **Q** Does that conclude your summary?

16 **A** Yes, ma'am.

17 **MS. RULE:** Mr. Bradbury, is available for
18 cross-examination.

19 **CHAIRMAN JOHNSON:** We're going to take a
20 15-minute break before we begin the process.

21 (Brief recess.)

22

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23 **CHAIRMAN JOHNSON:** We're going to go back on
24 the record.

25 **MS. BARONE:** Madam Chairman, before

1 BellSouth begins, I would like to request that Staff's
2 Exhibit JB-12 be marked for identification at this
3 time. It consists of Mr. Bradbury's deposition
4 transcript, errata sheet, and late-filed deposition
5 exhibits. Staff requests that that exhibit be marked
6 as Composite Exhibit 102.

7 **CHAIRMAN JOHNSON:** It will be marked as
8 Composite 102.

9 **MS. BARONE:** Thank you.

10 (Exhibit 102 marked for identification.)

11 **MR. CARVER:** Madam Chairman, there's one
12 matter I'd like to raise, if I may, before we begin
13 the cross-examination. This has to do with
14 Mr. Martinez and with the additions to his summary
15 that he would like to make.

16 First of all, I've reviewed this. I think
17 this is all information that he garnered two weeks ago
18 at the demonstration.

19 **CHAIRMAN JOHNSON:** That he argued?

20 **MR. CARVER:** I'm sorry. "Garnered" is the
21 word I said; that obtained --

22 **CHAIRMAN JOHNSON:** Oh.

23 **MR. CARVER:** He gathered this information.
24 I'm sorry. I garbled my words there. He's had this
25 information for two weeks, and I believe this is

1 something that could have been prefiled, which would
2 have allowed us an opportunity to respond to it.

3 The difficulty now is that he's making
4 substantive allegations, and our witnesses who I would
5 need to consult with in order to prepare
6 cross-examination of him are gone.

7 Also, because it's here now for the first
8 time rather than being prefiled, we don't have an
9 opportunity to respond to it, either from the stand or
10 through prefiled testimony.

11 So, first of all, let me say that I object.
12 Now, at the same time, in fairness, I have been
13 working with Mr. Melson to try to work something out,
14 and we've talked about a couple of options, and there
15 are two things that we've discussed.

16 The first thing that I would like to do --
17 and this would really be my preference -- would be to
18 have Ms. Calhoun, or some other appropriate
19 representative of BellSouth, have an opportunity to
20 review this and file a very limited statement
21 rebutting this to the extent we don't think it's
22 accurate. I don't want to speak for Mr. Melson, but I
23 don't think he will agree to that. But that would be
24 my first preference.

25 The other thing that we discussed is placing

1 Mr. Martinez at the end of the hearing. If that comes
2 tomorrow, then at least I'll have this evening to try
3 to get ready. If we end today, then we're kind of
4 back where we began, because I don't think I can get
5 ready to cross-examine today.

6 So those are the options that we discussed,
7 and I would raise them. But, again, I just want to
8 say that filing something in rebuttal to it is our
9 first choice because I really believe that's the only
10 way it can adequately be addressed.

11 **CHAIRMAN JOHNSON:** Okay --

12 **COMMISSIONER GARCIA:** Chairman, I just want
13 to let you know that I will not be here tomorrow. I
14 cannot make it. I had planned that we would be
15 ending, so I have a flight out of the city at 10:00
16 tomorrow.

17 **CHAIRMAN JOHNSON:** Okay.

18 **COMMISSIONER KIESLING:** And while we're
19 doing that, I'm on the National Regulatory Research
20 Institute board of directors, and I have a board of
21 directors meeting tomorrow. So I'm catching a late
22 flight out tonight, and I'll be back tomorrow night in
23 case we have to go on Friday. That's been on my
24 calendar for a year or so.

25 **CHAIRMAN JOHNSON:** Okay. I know there's at

1 least one witness that we'll be taking tomorrow, and
2 that's TCG's witness. So --

3 **MR. WILLINGHAM:** Madame Chairman, Paul
4 Kouroupas is testifying at 1:00 in Georgia, and as
5 soon as he's done there, he's going to jump a flight
6 down here and, hopefully, be here by 4:30, 5:00.

7 **CHAIRMAN JOHNSON:** Okay. Then we may be
8 able to wrap this up tonight, which means that you
9 wouldn't have the opportunity to have Ms. Calhoun
10 review the particular document. And your other choice
11 was to allow her to file a late-filed?

12 **MR. CARVER:** Yes, ma'am. It would be a
13 late-filed, and it would be limited only to the issues
14 that are raised in this document. She wouldn't
15 comment on anything else. She wouldn't try to rebut
16 anything else, but I would like to have her file a
17 late-filed that just addresses things that are raised
18 here as a result of what Mr. Martinez observed.

19 **CHAIRMAN JOHNSON:** Mr. Melson?

20 **MR. MELSON:** Commissioner Johnson, I think I
21 would not have a problem with that so long as her
22 late-filed exhibit did not go back and replot ground
23 that we covered with her on cross. My belief is we
24 covered about 85% of the matters that are in
25 Mr. Martinez's summary on this already in cross.

1 She's already had a chance to give her answers.

2 To the extent that he raised anything that
3 was brand new, a late-filed might be appropriate, but
4 to come back and rehabilitate what she's already said
5 on cross we would have a problem with.

6 CHAIRMAN JOHNSON: And I understand Bell to
7 say that they would produce the filing for the sole
8 purpose of addressing those issues that will be raised
9 by your particular witness that address the
10 demonstration that occurred in Jacksonville.

11 That, to me sounds, like a fair process,
12 understanding and -- although I believe the
13 information would be valuable, Bell did not have an
14 opportunity for their expert to review the information
15 and provide us with comments.

16 So let's use that approach. When we get to
17 the witness. We'll talk about it a bit more if
18 necessary, but I think that's a fair approach since we
19 won't be able to accommodate Ms. Calhoun on Thursday
20 and she won't be here this afternoon.

21 MR. CARVER: Yes, ma'am. The only other
22 thing I would add is I don't -- since I'm not going to
23 be able to cross-examine Mr. Martinez on this, I don't
24 think there's any point in moving him to the end. So
25 we can take him in the order he's in now.

1 **CHAIRMAN JOHNSON:** Sure.

2 **MR. MELSON:** Thank you.

3 **MR. CARVER:** Thank you.

4 **MR. BOYD:** Chairman Johnson, I'm sorry. I
5 have two brief questions that I'd like to ask.

6 **CHAIRMAN JOHNSON:** Oh, please.

7 **MR. BOYD:** Thank you.

8 **CROSS EXAMINATION**

9 **BY MR. BOYD:**

10 **Q** Mr. Bradbury, I just want to ask you about
11 Exhibit No. 100, your revised Exhibits JB-10 and 11.

12 **A** Yes, sir.

13 **Q** Did I understand you to say that they were
14 based on AT&T's experience in Georgia?

15 **A** They are, yes, sir.

16 **Q** And JB-10 revised is a series of 12 graphs
17 or charts. And are all those based on the information
18 compiled from AT&T based on its orders being submitted
19 in Georgia?

20 **A** Yes, sir.

21 **Q** And what interfaces were used for those
22 orders?

23 **A** The orders here are resale orders. They're
24 all being placed over the AT&T mainframe EDI interface
25 to BellSouth.

1 Q And the JB-11 revised used the term
2 "supplier". For instance, Page 1: "Supplier
3 provisioning performance." What does supplier mean?

4 A Supplier in this case -- actually, this
5 particular set of exhibits is a national data
6 collection. So Georgia is on Page 1, the one, two,
7 three, four, fifth, sixth stack from the left. The
8 others are other markets around the nation that were
9 in, so you can see Georgia compared to the other
10 markets. So the supplier here where I've left Georgia
11 identified is BellSouth in Georgia.

12 Q And so in each of these charts you have
13 identified which of the columns pertains to Georgia
14 information?

15 A Yes, sir.

16 MR. BOYD: Thank you. That's all I have.

17 CHAIRMAN JOHNSON: Okay. Mr. Melson?

18 **CROSS EXAMINATION**

19 **BY MR. MELSON:**

20 Q Mr. Bradbury, Rick Melson for MCI. I also
21 have a couple of questions on your Exhibit 100, and
22 mine are particularly on JB-10.

23 A Yes, sir.

24 Q If you would turn to Page 3 of that, which
25 is "Percent FOC response not received within 24

1 hours".

2 A Yes, sir.

3 Q Is this again specific to Georgia?

4 A Yes, it is.

5 Q And how are the FOCs communicated back to
6 AT&T?

7 A The FOCs do come back to us over the
8 electronic EDI interface between us and BellSouth.

9 Q All right. If you turn to Page 5 of that
10 document, "Completion notifications," how do
11 completion notices come back to AT&T?

12 A They are also returned to us over the EDI
13 interface.

14 Q Let's turn to Page 7, "Percent new orders
15 not completed on due date," and then I look at Page 8,
16 "Percent new orders not completed on supplier excepted
17 due date." What is the difference between those two
18 charts?

19 A The first is from the perspective of my end
20 using customer. This is the date we told them they
21 would get the order. The second is my perspective
22 from BellSouth. This is the date BellSouth committed
23 to provide the order. And so BellSouth stated that
24 they would provide service on a given date, and then
25 they subsequently did not do so 42% of the time the

1 week ending 8/23.

2 Q And why would it be possible that your
3 customers' expected due date and BellSouth's expected
4 due date would be different?

5 A As we are working with our customer using at
6 this point a paper installation interval calendar, we
7 select a date from that. We send our order across.
8 We do not know what the actual due date will be until
9 the firm order confirmation comes back. So we don't
10 have a firm due date until we see that firm order
11 confirmation.

12 So the intervals that we're forced to work
13 with are fixed. When it gets to BellSouth's service
14 order control system, the interval that it selects is
15 based on the dynamics that exist at that point in
16 time.

17 Q On Page 9 of that exhibit, "Migration order
18 completions," can you define for me what you mean by a
19 migration order?

20 A This would either be a switch as-is or a
21 switch as-specified order for resale.

22 Q So that's a resale order where the only work
23 involved is some translations in BellSouth's switch?

24 A Yes, sir.

25 Q On Page 52 of your direct testimony -- and

1 you don't need to turn there -- you're discussing a
2 number of items that BellSouth does not provide in the
3 preordering mode through LENS.

4 Does the LENS preordering mode provide any
5 information on whether the customer -- or excuse me --
6 whether the address that's been validated is an
7 address that is subject to city and/or county taxes?

8 A No, sir, it does not.

9 Q Do you know whether that same information is
10 provided to a BellSouth customer service
11 representative when they place an order using their
12 systems?

13 A It is available to them when they do an
14 address validation. There is a tax code that is
15 returned that indicates what the appropriate taxes for
16 that address are. That would then flow down through
17 with the order to the billing system so that the
18 proper taxes would be applied.

19 MR. MELSON: Thank you. That was all I had.

20 CHAIRMAN JOHNSON: BellSouth?

21 MR. ELLENBERG: Thank you, Chairman Johnson,
22 Commissioners.

23 CROSS EXAMINATION

24 BY MR. ELLENBERG:

25 Q Mr. Bradbury, I'm William Ellenberg. I'm

1 here on here on behalf of BellSouth
2 Telecommunications. Good morning.

3 A Good morning, sir.

4 Q I have a number of questions about your
5 prefiled testimony and your late-filed deposition
6 exhibits and your summary this morning. It will help
7 things if you have your prefiled testimony available
8 to you. Do you have a copy with you?

9 A Yes, I do.

10 Q And do you have a copy of your late-filed
11 deposition exhibits?

12 A These?

13 Q I'm not sure what you're holding up. It's
14 what's referred to on Exhibit 102 as too voluminous to
15 copy, so that may be it.

16 A That would be these, yes, sir. These are my
17 own personal copies, so they may not match exactly
18 with what finally got filed, but they should be 99.2.
19 You know, somebody might have swapped one around in
20 the copy process.

21 Q Are there more documents in your exhibit
22 than I have in mine?

23 A I hope not.

24 Q I guess we may find out. Let's start with
25 the chart that is the second page of Composite

1 Exhibit 101, and that's immediately behind you to your
2 right.

3 A My swim lane chart?

4 Q Yes, sir. I look at this chart, I look at
5 the top line, and I don't see any reference to RNS or
6 DOE in the line marked "BellSouth's present
7 operations." Am I right there?

8 A That's correct. This chart is
9 representative of the operations support systems that
10 would be used by a business office representative,
11 which would then be RNS or DOE, or a customer repair
12 representative who might be using TAFI or WFA or LMOS
13 or some other. So it's a generic chart.

14 Q Okay. Then let me ask you this: If we were
15 talking about a preordering ordering function, if I
16 look at the line between the BellSouth customer
17 service representative and the OSS, we could put a
18 block there that would be RNS; is that correct? In
19 other words, the BellSouth representative would be
20 interfacing with RNS, which would in turn be
21 interfacing with the OSS; isn't that correct?

22 A RNS is the front end system that a BellSouth
23 residence representative uses.

24 Q Yes, sir, I understand that. I'm asking you
25 if we can agree that we can put a block on that yellow

1 line between the BellSouth customer service rep and
2 the OSS that would represent RNS. Wouldn't that be an
3 appropriate --

4 A I think it would be more appropriate -- the
5 terminal that the representative is sitting at would
6 represent that.

7 Q Is it your testimony that the software
8 capabilities of RNS and DOE reside in the terminal?

9 A Not in the terminal, but the terminal is the
10 visual presentation that the representative sees,
11 and --

12 Q And let's look at the bottom line. Let's
13 look at the customer service rep for the new entrant.
14 If that new entrant is using LENS, what that customer
15 service rep sees at the terminal may be a
16 representation of what's in LENS, but the LENS
17 software doesn't reside in that terminal; isn't that
18 correct?

19 A That would be correct, also.

20 Q So what I'm trying to do here, Mr. Bradbury,
21 is make this more of an apples-to-apples comparison
22 between the top line of BellSouth's present operations
23 and the bottom line, BellSouth's proposed interfaces.
24 And where you have a box that represents LENS on the
25 bottom line between the customer service rep for the

1 new entrant and the OSS, there is no such box in the
2 top line for BellSouth's present operations; isn't
3 that correct?

4 A That's correct.

5 Q And conceptually to make this chart the same
6 for both BellSouth's present operations and the
7 proposed interfaces, we can agree that I can simply
8 insert a box on that gold line between the BellSouth
9 rep and the OSS that would be RNS; isn't that correct?

10 A I would accept that, yes.

11 Q Now, as I look at this chart, with that
12 addition we have a BellSouth customer service rep
13 sitting in a computer console and talking to an end
14 user customer; is that right?

15 A Correct.

16 Q And as the BellSouth customer service rep
17 talks to that customer through that terminal using
18 RNS, the BellSouth rep can get certain information
19 about telephone numbers and features and services and
20 validate an address and that kind of thing while the
21 customer is on line; isn't that correct?

22 A Yes, that's correct.

23 Q And if I look down at the bottom line, the
24 proposed BellSouth interfaces, I see a customer
25 service rep sitting in a computer terminal talking to

1 a new entrant customer; isn't that right?

2 A Yes, you do.

3 Q And using that computer terminal, through
4 the LENS system that new entrant customer service
5 representative can get information to validate an
6 address and get telephone numbers and features and
7 available services; isn't that correct?

8 A That is correct. However, they do not get
9 that information in the same manner that BellSouth
10 gets that same information. There is information and
11 capabilities available to the BellSouth service rep
12 using the RNS box that is not available to the new
13 entrant's rep using the LENS box, and it is a --

14 Q I don't want to talk --

15 A -- discriminatory interface.

16 Q I do want to talk about those things,
17 Mr. Bradbury, and we'll come back to that. But all I
18 want to try to get you to agree with me now on is that
19 from that service representative's perspective, the
20 access is very similar. And you would agree with
21 that, would you not?

22 A Again, the access is very similar, but it is
23 discriminatory.

24 Q All right. So the answer to my question is,
25 yes, the access is very similar?

1 **A** Yes, the access is similar and
2 discriminatory.

3 **Q** Mr. Bradbury, would you agree the access for
4 the service representative is very similar?

5 **MS. RULE:** Chairman Johnson, I would like to
6 object. It's been asked and answered. And the
7 Commission has always allowed witnesses to explain
8 their answers.

9 **MR. ELLENBERG:** Chairman Johnson, I'm not
10 objecting to the explanation, and I want to explore
11 that area with the witness. He keeps changing the
12 question. I asked him if the access was very similar.
13 He left the word "very" out, and I just want to
14 understand exactly what we can agree to and what we
15 can't agree to, so -- .

16 **MS. RULE:** I believe the question has been
17 asked and answered.

18 **CHAIRMAN JOHNSON:** You can answer the
19 question again.

20 **WITNESS BRADBURY:** May I have the question
21 again, please?

22 **Q** (By Mr. Ellenberg) Would you agree for the
23 service representative that the access is very
24 similar?

25 **A** Again, I would agree for the service

1 representative the access is very similar and
2 discriminatory.

3 Q Thank you. Now, do you have revised
4 Bradbury Exhibits 10 and 11 in front of you? Do you
5 sir?

6 A Yes, I do.

7 Q Now, I believe a part of your response to
8 Mr. Boyd's questions, I'll have to admit, confused me.
9 I understood from your summary, I understood you to
10 say that there was no mainframe EDI system operating
11 anywhere in the BellSouth region. Didn't you say that
12 in your summary?

13 A No, sir. I said there was one.

14 Q One, okay. And that one would be the one
15 between BellSouth and AT&T?

16 A Correct.

17 Q Would you look at Page 3 of 13 of
18 Exhibit No. 10, please, sir?

19 A Yes.

20 Q And if I look at the last two columns for
21 the week of 8/16, there were 891 work orders referred;
22 is that correct?

23 A The numbers on the bottom of the given
24 chart, you need to understand what a work order is.
25 It is --

1 Q Can we agree on the number first, and then
2 you can --

3 A The number that you see there is 891. It
4 may not represent orders received by BellSouth that
5 week. The term in use here, "work orders," is the
6 work orders generated within AT&T's system. It may
7 not equate to exactly the number of orders that you
8 receive or process on the BellSouth end. It's a
9 different measure of the load on the interface.

10 Q Then let me ask my question this way, then:
11 You have submitted exhibits very similar to these in
12 other states in the course of 271 proceedings; isn't
13 that right?

14 A Yes, sir.

15 Q And you have heard Mr. Stacy, in particular,
16 state that he has been unable to reconcile the data
17 available to BellSouth with the numbers presented on
18 your chart; isn't that correct?

19 A I don't believe I personally have heard
20 that. I'm certain I've read it in the transcripts.

21 Q I thought we both attended a demonstration
22 of interfaces in Louisiana a few weeks ago where that
23 was discussed. But be that as it may, you have either
24 heard or read Mr. Stacy make that statement?

25 A Right. And I've also -- since I've never

1 seen any data from BellSouth, I can't reconcile my
2 numbers with nonexistent BellSouth data.

3 Q The point being that BellSouth and AT&T
4 don't agree on this data, correct?

5 A I really don't know. We've never been able
6 to discuss it. There is no BellSouth data available
7 for me or anyone else in AT&T to sit down with
8 BellSouth and discuss if there's any difference here.

9 Q If BellSouth were looking at this exhibit
10 and saw this 891 for work orders referred during the
11 week of 8/16, and they tried to reconcile that with
12 the number of orders received, they couldn't do that;
13 isn't that right?

14 A That's right, because they're not the same
15 thing.

16 Q Well, are the -- in the very last column I
17 see the number 1,573 work orders referred; isn't that
18 right?

19 A Yes, sir.

20 Q Is the order of magnitude from the week of
21 8/16 to the week of 8/23 correct? Do you understand
22 my question?

23 A You're questioning whether the almost
24 doubling of volume --

25 Q That's right.

1 A -- or load there would be correct?

2 Q Yes.

3 A Yes, it is.

4 Q So then from the week of 8/16 to the week of
5 8/23, the load or the volume almost doubled, and yet
6 BellSouth demonstrated an improvement of 10% in the
7 percentage of FOCs returned in 24 hours; is that
8 right?

9 A That's what the data here would indicate,
10 yes --

11 Q All right. And this is like golf; a lower
12 number is a better score; is that right?

13 A On this particular one, yes.

14 Q And I guess that would go back to your
15 opening comment that -- in your summary that BellSouth
16 has made useful an improvement -- incremental
17 improvements in its systems and its operations; is
18 that right?

19 A I don't think that, one, a change in a data
20 element from one week to the next would support that.
21 And what I was talking about there was the interfaces
22 themselves providing utility.

23 A change like that week over week, you can
24 see that change several times in previous weeks
25 throughout the year, 71% to 26%. Without data from

1 BellSouth to know what was happening on the BellSouth
2 side, you can't make any conclusions like that.

3 Q Well, these two weeks are the most recent
4 weeks for which you're submitting data; isn't that
5 right?

6 A Correct.

7 Q And the load almost doubled, and yet there
8 was a improvement of some 10%; isn't that right?

9 A That's correct. However, the objective --
10 the commitment that BellSouth has made here is 100%
11 firm order confirmations delivered within 24 hours.
12 So an improvement from 48 to 38, while nice and
13 appreciated, is nowhere near what BellSouth has
14 committed itself to do.

15 Q Would you look at Page 6 of 13 of this same
16 exhibit, please, sir? Are you there?

17 A Yes.

18 Q My chart is not in color. Perhaps the
19 originals were. But I -- look at the last column with
20 the date 8/23, and I read that to say that 98% of the
21 completion notices were received by AT&T on time; is
22 that correct?

23 A That is correct. This happens to be a
24 measure in which BellSouth is doing much closer to its
25 stated objective. It's also one that's much easier

1 for them to do. There's kind of no magic to it.

2 There is no human intervention in this one.

3 Q And, again, I think in response to a
4 question from Mr. Boyd, you indicated this was all
5 Georgia data?

6 A Yes, it is. How --

7 Q You don't have --

8 A However, the systems in use in Georgia will
9 be the same systems in use in Florida and all nine
10 BellSouth states, and that was recognized early on in
11 our negotiations and is recognized in the
12 interconnection agreement that was reached first in
13 Georgia and subsequently in other states, including
14 here.

15 Q Well, the point is, there's no data from
16 Florida because AT&T hasn't entered the Florida market
17 yet; isn't that right?

18 A We have not entered the Florida market.
19 However, the data that's being gathered in Georgia
20 would reflect the results you would see if the
21 interfaces were used for Florida entry.

22 Q All right. Now I want to follow up on a
23 question that I believe Commissioner Deason asked
24 Mr. Pfau yesterday. Were you present when Mr. Pfau
25 was on the stand?

1 A Yes, I was.

2 Q Or Monday. Excuse me. Nobody was -- I
3 wasn't here yesterday, anyway. Were you here
4 yesterday?

5 A I wasn't here yesterday. I was in
6 Tallahassee.

7 Q All right. But you were here Monday when
8 Mr. Pfau was testifying; is that right?

9 A Yes, sir.

10 Q Now, as I recall the question -- I guess the
11 record will speak for itself -- Commissioner Deason
12 asked whether parity meant identical treatment. Do
13 you recall that question?

14 A I believe I do.

15 Q And I think Mr. Pfau agreed that parity did
16 not require identical treatment. Do you recall that?

17 A I recall that was his answer.

18 Q And in the area of the provision of
19 nondiscriminatory access to OSS, you would also agree
20 that nondiscriminatory access -- you may want to call
21 that parity -- also does not involve identical
22 treatment; isn't that right?

23 A Doesn't require identical treatment.
24 However, it does require a performance that
25 demonstrates that parity has been achieved. The data

1 available to AT&T from its Georgia experience is that
2 BellSouth is not providing parity.

3 Q Let me come at it from a slightly different
4 direction. You would agree that what we're really
5 talking about is whether the access provided is close
6 enough so that the ALEC has a meaningful opportunity
7 to compete; is that correct?

8 A I don't agree with the words "close enough".
9 I don't remember them anywhere in the Act.

10 Q Well, I saw "sufficiently comparable" in
11 some of your testimony, and I was just changing
12 "sufficiently comparable" to "close enough".

13 A "Sufficiently comparable," I don't recall
14 writing those words.

15 Q All right. Didn't you in your prefiled
16 testimony complain -- insert criteria that you
17 suggested had been offered by the Department of
18 Justice, the FCC and Attorneys General from around the
19 country?

20 A Are you talking about my -- the
21 characteristics?

22 Q No. I'm talking about your prefiled
23 testimony basically from Pages 8 through 20 or 21.
24 You have a lengthy discussion about what the FCC, the
25 DOJ, and other bodies have had to say on this subject

1 of nondiscriminatory access, don't you?

2 **A** I'm not sure I understand the question, sir.

3 **Q** All right. I'll ask it a different way.

4 Would you look at Page 19 of your prefiled direct
5 testimony, Line 19?

6 **A** Page 19 and Line 19?

7 **Q** We can begin at Line 18. You say
8 "Similarly, the Attorneys General concluded
9 nondiscriminatory access requires implementation of
10 OSS functions that are sufficiently comparable to what
11 is available internally to the BOC." Do you see that?

12 **A** I see that. Those are the Attorneys
13 General's words. That is a quotation.

14 **Q** Are you not offering that quotation in
15 support of your position in this case?

16 **A** Yes, I am.

17 **Q** You would agree with me, then, since the
18 access doesn't have to be identical that there are
19 functions that might be available to a BellSouth
20 retail rep that would not have to be available to a
21 CLEC rep for access to provide -- to be
22 nondiscriminatory, wouldn't you?

23 **A** There well could be. However, that would
24 have to be demonstrated through a comparison of the
25 actual impact upon the CLEC and the CLEC's customers.

1 Q All right. Well, let's talk about one of
2 those, then. I believe in your prefiled testimony you
3 talk about the inability of ALEC reps to access --
4 well, to provide a number for an unnumbered street
5 address and to access driving instructions that reside
6 in the RSAG database. Do you recall that?

7 A Yes, I do.

8 Q And I believe you told Staff in your
9 deposition that that situation never really arose in
10 Florida. Do you recall that?

11 A Partially. Let me talk about that just a
12 moment. Numbering and unnumbered street address in
13 today's world where 911 and E911 have been embraced by
14 a county or a municipality, that responsibility now
15 belongs to them.

16 However, having a numbered address doesn't
17 make it any easier to find than it was in the past.
18 So driving instructions are still appropriate and used
19 on a frequent basis.

20 Q Didn't you tell Staff counsel in the state
21 of Alabama that the situation arose infrequently?

22 A The street numbering address, yes.

23 Q Not the driving instructions?

24 A Not the driving instructions.

25 Q Well, let me ask you this: Wouldn't it be

1 possible for an ALEC rep to simply ask the customer
2 for driving instructions and fill those in on the
3 remarks section of a LENS screen or an EDI order?

4 A It would be possible to do so. However, if
5 they already exist in the existing record that
6 BellSouth has, it should be made available to the ALEC
7 representative the same way it is made available to
8 the BellSouth representative.

9 Q Well, if the situation arises infrequently,
10 then you would agree that the absence of the
11 unnumbered addresses or the driving instructions
12 wouldn't affect the ALEC's meaningful opportunity to
13 compete, would you?

14 A No, sir. Again, as I said, numbering
15 address -- numbering an address is now infrequent.
16 The need and use of driving instructions is still a
17 regular day-to-day means of business.

18 Just to illustrate that, in a large growing
19 metropolitan area with new subdivisions coming on line
20 all the time, there are many places that are not on
21 the existing plat maps, and driving instructions are
22 required to get there. Just, you know, try to have a
23 FedEx package delivered to a new subdivision. The
24 telephone industry faces that same problem.

25 **COMMISSIONER DEASON:** Let me ask a question

1 at this point. Are you indicating that BellSouth
2 within their data have driving instructions for every
3 customer within their system?

4 **WITNESS BRADBURY:** Not every customer, but
5 they do have them where they're appropriate, where
6 it's a hard to find address. It's called "retained
7 remarks". It exists within their systems today.

8 **COMMISSIONER DEASON:** So it would be for
9 like new customers in a new subdivision, for example?

10 **WITNESS BRADBURY:** They wouldn't have them
11 for a new customer in a new subdivision. They would
12 have -- well, let's say that customer had moved into
13 this new subdivision a month ago, three months ago,
14 and if it was necessary, they would be there. If that
15 customer came to us and wanted to move, we would still
16 need that same information.

17 **COMMISSIONER DEASON:** Where does BellSouth
18 get the driving instructions from?

19 **WITNESS BRADBURY:** They do get them
20 originally from the customer.

21 **COMMISSIONER DEASON:** So they had to bother
22 the customer when they first signed them up to get
23 driving instructions. So why is it unreasonable when
24 you first sign them up to also ask them for driving
25 instructions and put it in your database?

1 **WITNESS BRADBURY:** We'll do so in the
2 absence of them. I'm just saying where it exists in
3 BellSouth's database today it's not parity for them to
4 not provide it to us. We're certainly going to obtain
5 it from our customer if we need it and can get it from
6 no other source.

7 **Q** **(By Mr. Ellenberg)** Let's break my earlier
8 question in two parts, then. Your comment that the
9 situation arises infrequently refers only to the
10 existence of unnumbered addresses; is that right?

11 **A** Yeah; the need to perform a numbering
12 function for the address.

13 **Q** So at least for that function, the absence
14 of that function for an ALEC rep would not have an
15 effect on an ALEC's meaningful opportunity to compete.
16 Wouldn't you agree with that?

17 **A** I would agree that one particular function
18 would not.

19 **Q** Are driving instructions only associated
20 with unnumbered addresses?

21 **A** No, sir, they're not. They're associated
22 with anyplace that's hard to get to.

23 **Q** Now, let's turn back to your chart again,
24 Page 2 of Composite Exhibit 101. Do you have that?
25 Or you can turn around and there it is.

1 A Yes.

2 Q Now, as I understand your testimony, your
3 complaint is that after a customer service rep in the
4 bottom line has a contact with a customer and either
5 takes a trouble report or enters an order or
6 undertakes some other function, the customer service
7 rep off line with a customer has to enter information
8 separately into the ALEC's OSS; is that right?

9 A It may be either on line with the customer
10 or off line with the customer, but it requires working
11 with BellSouth's operations support system and the new
12 entrant's operations support system.

13 Q Now, BellSouth and AT&T are working together
14 on a set of customized interfaces that will be
15 available later this year; isn't that right?

16 A I don't agree with the characterization of
17 "customized". We're working together on a set of
18 interfaces that are listed in our interconnection
19 agreement. They are based on open specifications that
20 AT&T has provided to the industry.

21 Q And those specifications were developed
22 jointly between AT&T and BellSouth, correct?

23 A AT&T provided an initial set that has been
24 the basis of joint development since that point in
25 time.

1 It's very strange to me that BellSouth has
2 never brought to the table an initial set of
3 interfaces for any of the specifications that they
4 propose.

5 Q All right. Well, call them what we want to
6 call them, there is a set of interfaces being
7 developed today between AT&T and BellSouth that will
8 be available later this year, correct?

9 A That is the intent, yes.

10 Q Now, you would agree that that set of
11 interfaces will overcome whatever deficiency you claim
12 exists and is represented by that bottom line on this
13 exhibit, correct?

14 A That was their design intent. At this point
15 in time it's not certain that all of them will be
16 implemented with the full set of features that was
17 included in the specifications.

18 BellSouth has recently changed its mind on
19 whether or not it would provide some of the
20 capabilities that it earlier agreed to, specifically
21 in the long-term preordering interfaces there were
22 specifications related to providing calculated due
23 dates, providing a parsing or fielding of the customer
24 service record information, and having no restrictions
25 upon telephone number reservations.

1 At this point in time each of those is under
2 question between the parties and has been escalated to
3 the executive levels. BellSouth is now not indicating
4 that they will provide those capabilities. If they're
5 not there, that interface will not be
6 nondiscriminatory when it's implemented.

7 Q Are you finished with your answer?

8 A Yes, sir.

9 Q Let's then, maybe to focus this a bit, talk
10 about one of those additions in particular. One of
11 the additions is a preordering functionality that, I
12 guess, has come to be referred to in these proceedings
13 as EC-LITE; isn't that correct?

14 A We'll refer to it that way today, yes, sir.

15 Q And I think you have agreed with me in
16 previous proceedings that AT&T has a large information
17 technologies group that is currently working to
18 integrate that new preordering functionality that will
19 be available later this year with the ordering -- EDI
20 ordering functionality; isn't that correct?

21 A We have people working on that, yes.

22 Q And I think you have agreed with me in the
23 course of other proceedings that those people could
24 just as easily develop a way to integrate the
25 information that is received through LENS or TAFI or

1 any of the currently available interfaces into AT&T's
2 OSS; isn't that correct?

3 A I don't believe I've ever said that. Let me
4 go on a little bit while you're looking up your
5 reference there.

6 For us to be able to do something like that,
7 we would have to have from BellSouth the
8 specifications that describe those interfaces. We do
9 not. BellSouth has not provided them. BellSouth has
10 testified here they don't have them current today.
11 They're not available.

12 Q Let's talk about LENS in particular. It
13 would be possible for AT&T's information technologies
14 group to integrate the information obtained through
15 LENS into AT&T's OSS; isn't that correct?

16 A It would be possible if we had
17 specifications and a commitment from BellSouth to
18 participate in that work. We have neither. There is
19 no standard for preordering.

20 However, there are indications in the
21 industry that the standard for preordering will
22 encompass the EDI data elements. LENS does not
23 encompass EDI data elements. The long-term
24 preordering interface referred to as EC-LITE does.
25 Working to integrate LENS at this late date would not

1 be a wise business choice.

2 Q You will agree with me that for some period
3 of time AT&T and BellSouth were working together to
4 develop that capability for AT&T; isn't that right?

5 A Yes, I would.

6 Q You would agree with me that AT&T's decision
7 not to pursue that capability was based not on the
8 lack of technical specifications; isn't that correct?

9 A No, sir, I would not. It was based
10 explicitly on the lack of technical specifications
11 that we have in BellSouth proposed LENS as its
12 response to the Georgia Public Service Commission last
13 year.

14 When that response came out in April --
15 August of last year, we said, "We thought you were
16 going to be working with us on an EDI preordering
17 interface; what happened?" They said, "We're going to
18 go LENS." We said, "Okay. How can we integrate it?"

19 They produced a white paper in September of
20 last year that proposed some methods of doing that.
21 We said, "Okay. Let's keep talking about that." We
22 asked for more specifications. None were forthcoming
23 in September, October, November, or December. We
24 continued to ask.

25 We finally met again January 23rd of this

1 year to see if that was still something that BellSouth
2 said, "Yes, we'll still work with you to follow our
3 white paper," which had what can be either called tag
4 values or common gateway interface values as a basis.
5 We said, "We'd like to see a specification. They
6 said, "Okay. In a couple weeks you can have one."
7 That was January 23rd.

8 After taking the issue to our executives on
9 both sides, we finally got such a specification for
10 two of the functions in LENS on March 20th.

11 On April 1st through the 3rd, BellSouth
12 presented those same specifications to the industry as
13 a whole as something they were willing to do. On
14 April the 8th, the gentleman who wrote those
15 specifications withdrew them saying they were not
16 technically feasible and that BellSouth would not be
17 pursuing that avenue.

18 So the CGI specifications vanished. They
19 don't exist. We don't have them. No one has them.

20 Q I think you started that rather lengthy
21 explanation with the statement that AT&T's decision
22 not to pursue that project was based exclusively on a
23 lack of specifications from BellSouth; is that
24 correct?

25 A Right. After April the 8th, there was no

1 specification from BellSouth that AT&T could design
2 toward. No description of LENS exists.

3 Q Do you have your late-filed deposition
4 exhibits handy? I've asked you that. I think you
5 have them, but they may be your personal copy.

6 A Yes, sir.

7 Q Would you look at Item No. 34, please, sir?

8 A That would be in the --

9 Q Late-filed Deposition Exhibit 1. I'm sorry.

10 A And Item No. 34?

11 Q Yes, sir. This is a letter from

12 A. J. Calabrese. Did I pronounce that correctly?

13 A Calabrese, yes.

14 Q Calabrese. To Mark -- who is with AT&T of
15 the Southern States -- to Mark Fiedler, who is with
16 BellSouth; isn't that correct?

17 A Yes, it is.

18 Q And if you would just glance at it, this
19 letter addresses the matter that we've been talking
20 about for some minutes now?

21 A Uh-huh.

22 Q Now, If you would look at the second
23 paragraph in this letter, about six lines up from the
24 bottom of that second full paragraph do you see the
25 sentence "After examining the April 10th

1 documentation, AT&T discovered that the redesign would
2 shift to AT&T much of the development that would have
3 been done by BellSouth under the original design."

4 Don't you see that?

5 A I see that, but I would like to start
6 reading from earlier in the paragraph. "However, on
7 April 8th BellSouth informed AT&T it had redesigned
8 the interface to the server." Pardon me. "To the CGI
9 server."

10 What AT&T received on April 10th was
11 documentation on a new design. After examining the
12 April 10th documentation, AT&T discovered that the
13 design would shift to AT&T much of the development
14 that would have been done by BellSouth on the original
15 design. What happened here was CGI --

16 Q I haven't asked a question yet, sir. If I
17 could do that, then I would let you give an answer and
18 explain. But my question to this point is, do you see
19 the sentence that begins six lines up from the bottom
20 of the second full --

21 A I see that, yes.

22 Q Now, that sentence refers to the need to
23 parse data elements, does it not, to your knowledge?

24 A The sentence we were just discussing?

25 Q Yes.

1 A It does not say that here, no, sir.

2 Q No, sir. I said "to your knowledge".

3 You're familiar with this subject, aren't you? This
4 document was in your late-filed deposition --

5 A That was kind of the direction I was headed.
6 Let me explain what the difference here is.

7 Q Well, do you know the answer to my question
8 or not?

9 A I can't answer your question without a long
10 answer. There is data element parsing required, okay,
11 but that's to the heart of the matter of why the
12 April 10th document is not a CGI specification.

13 Q What I'm trying to do is get to the heart of
14 the matter. And that sentence is saying that in the
15 original design BellSouth would have been undertaking
16 the data parsing and in the redesign AT&T would
17 undertake the data parsing. Isn't that what it's
18 referring to?

19 A That's only part of it. The original design
20 would have been a joint development based upon a CGI
21 specification. The new design is not a CGI
22 specification at all. It's simply a presentation or a
23 description of the web page. And for this explanation
24 I'd really like to be able to stand up and draw a
25 picture. Is that okay? It won't take me long, and I

1 think it will help.

2 **CHAIRMAN JOHNSON:** Go ahead.

3 **MR. ELLENBERG:** Do I get a vote? I guess
4 not.

5 **COMMISSIONER CLARK:** I don't think you get
6 vote, but you could object.

7 **WITNESS BRADBURY:** LENS, we keep talking
8 about it kind of like being a single box. It's not.
9 Here's a box we can call LENS. (Indicating) Within
10 this box are two other key components. This is a web
11 page generator.

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13 (Transcript continues in sequence in
14 Volume 27.)

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