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August 6, 1998

Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 980119-TP (Supra Complaint)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Motion for Reconsideration and Clarification, which we ask that you file in the captioned docket.

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,

*Nancy B. White*  
Nancy B. White (PW)

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU Manu
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1
- LIN 3
- OPD \_\_\_\_\_
- ROB \_\_\_\_\_
- SEC 1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

cc: All parties of record  
A. M. Lombardo  
R. G. Beatty  
William J. Ellenberg II

RECEIVED & FILED  
*[Signature]*  
FPSC-BUREAU OF RECORDS

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**08357 AUG -6 88**  
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**CERTIFICATE OF SERVICE**  
**Docket No. 980119-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served  
by Federal Express this 6th day of August, 1998 to the following:

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Nancy B. White (P) 

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Supra Telecommunications ) Docket No.: 980119-TP  
 and Information Systems, Inc., Against )  
 BellSouth Telecommunications, Inc. )  
 \_\_\_\_\_ ) Filed: August 6, 1998

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
 MOTION FOR RECONSIDERATION AND CLARIFICATION**

BellSouth Telecommunications, Inc. ("BellSouth"), files pursuant to Rule 25-22.060, Florida Administrative Code, its Motion for Reconsideration and Clarification of Order No. PSC-98-1001-FOF-TP ("Order"), issued on July 22, 1998, by the Florida Public Service Commission ("Commission") in the above referenced docket.

Reconsideration is required because the Commission rendered a decision on an item that was not at issue in this case.

Clarification is required on other issues. In support of its Motion for Reconsideration and Clarification, BellSouth states the following:

**I. Procedural Background**

On February 8, 1996, the Telecommunications Act of 1996 (the "Act") became law. The Act required interconnection negotiations between incumbent local exchange carriers and new entrants. If negotiations were unsuccessful, the parties were entitled to seek arbitration of the unresolved issues from the appropriate state commission. 47 U.S.C. §252(b)(1). On June 26, 1997, BellSouth and Supra Telecommunications and Information Systems, Inc. ("Supra") filed a request for approval of a resale agreement under the Act. On October 8, 1997, this Commission approved that agreement in Order No. PSC-97-1213-FOF-TP. On August 7, 1997, BellSouth and Supra filed a request for

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approval of a Collocation Agreement under the Act. On November 25, 1997, the Commission approved that agreement in Order PSC-97-1490-FOF-TP. On November 24, 1997, BellSouth and Supra filed a request for approval of a resale, interconnection, and unbundling agreement under the Act. On February 3, 1998, this Commission approved that agreement in Order No. PSC-98-0206-FOF-TP. The Commission found that all of the agreements complied with the Act. The agreements govern the relationship between BellSouth and Supra regarding resale, unbundling, interconnection and collocation pursuant to the Act. On January 23, 1998, Supra filed a Complaint for resolution of disputes as to the implementation and interpretation of the resale and interconnection agreements.

On July 22, 1998, the Commission issued its Order, holding, among other things, that BellSouth must provide Supra with the same online edit checking capability that BellSouth's retail ordering systems provide. (Order, pp. 22 and 46). The Commission, in reaching this decision, went beyond what Supra requested in its Complaint and testimony. Online edit checking capability was not an issue in this docket with the exception of supplementing orders on an electronic basis. In addition, the Order requires BellSouth to perform various other tasks. In connection with these issues, BellSouth will advise the Commission as to its progress and request some clarification.

With regard to the evidence, the Commission must rely upon evidence that is "sufficiently relevant and material that a reasonable man would accept it as adequate to support the conclusion reached." DeGroot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1st DCA 1957) See also Agrico Chem. Co. v. State of Fla. Dep't of Environmental Reg.,

365 So. 2d 759, 763, (Fla. 1st DCA 1979); Ammerman v. Fla. Board of Pharmacy, 174 So. 2d 425, 426 (Fla. 3d DCA 1965). The evidence must “establish a substantial basis of fact from which the fact at issue can reasonably be inferred.” DeGroot, 95 So. 2d at 916. The Commission should reject evidence that is devoid of elements giving it probative value. Atlantic Coast Line R.R. Co. V. King, 135 So. 2d 201, 202 (1961). “The public service commission’s determinative action cannot be based upon speculation or supposition.” 1 Fla. Jur. 2d, § 174, citing Tamiami Trail Tours, Inc. v. Bevis, 299 So. 2d 22, 24 (1974). In this case, the Commission’s decision is doubly arbitrary because it ignores competent evidence that contradicts the Commission’s underlying assumptions in many instances. “Findings wholly inadequate or not supported by the evidence will not be permitted to stand.” Caranci v. Miami Glass & Engineering Co., 99 So. 2d 252, 254 (Fla. 3d DCA 1957). 380 So. 2d 1028, 1031 (Fla. 1980).

The sections below examine the grounds for reconsideration and clarification.

## **II. Online Edit Checking Capability**

In the Order, the Commission found that Supra requested the same online edit checking capability that BellSouth’s retail ordering systems provide. (Order, p. 22). The Commission, therefore, ordered BellSouth to modify the ALEC ordering systems so that the systems would provide the same online edit checking capability to Supra that BellSouth’s retail ordering systems provide. (Order p. 46). The Commission should reconsider this portion of its Order for two reasons.

First, there was never an issue identified in this case as to online edit checking capability. Although there was an issue regarding electronic access to Operations Support Systems, that issue did not encompass online edit checking capability. Online edit checking capability was not raised by Supra in its original Complaint nor was it raised in any testimony filed by Supra or by BellSouth. When the Commission Staff questioned Supra's witness, Mr. Ramos, concerning exactly what he was seeking from the Commission, not one word was mentioned of online edit checking capability. (Tr. pp. 136-150). In fact, Mr. Ramos responded that he wanted the exact same systems as BellSouth. (Tr. pp. 141-142). The Commission, in its Order, specifically held that "BellSouth is not required to provide Supra with the exact same interfaces that it uses for its retail operations." (Order, p. 23). Moreover, the Order held that "BellSouth has provided the interfaces that are required by the interconnection agreement between the parties." (Id.).

The only factor of which Supra complained in connection with edits is that EDI and LENS orders that contain errors go to the LCSC for manual handling. (Tr. p. 578). The Commission, in its Order, specifically found that BellSouth had added the capability to allow ALECs to supplement orders and correct orders electronically in both LENS and EDI. (Order, p. 22). Indeed, LENS and EDI electronically check over 300 edits on line to determine whether corrections are required.

The Complaint filed by Supra was grounded on Supra's claim that BellSouth had not complied with the interconnection agreement. By holding that BellSouth has provided access to the interfaces required by the interconnection agreement, the

Commission has fully answered this issue. To go beyond the issues raised by *Supra*, to go beyond the scope of the briefs, to go beyond the scope of the testimony and to go beyond the interconnection agreements is error. (Order No. PSC-96-1046-FOF-WS, issued August 14, 1996, p. 11). The basis for the Commission's decision on online edit checking capability is not supported by the record in this case. To address this issue for the first time in the Order is a denial of process to the parties who did not have an opportunity to address the issue. (Order No. PSC-95-1188-FOF-TP, issued September 21, 1995, p. 24).

This leads to the second reason why the Commission should reconsider its Order on this issue. In order to provide the exact same online edit checking capability that BellSouth's retail ordering systems provide, BellSouth would be required to place computer hardware and software on the premises of the ALEC. This would entail an enormous amount of investment in both time and money. BellSouth's Regional Navigation System ("RNS") and other systems such as the Direct Order Entry system ("DOE") would essentially have to be placed on the premises of the ALEC. This would go beyond the intent of the FCC and this Commission. The ordering systems BellSouth provides for ALECs perform online edits on ALEC orders, as discussed above. Moreover, BellSouth has provided ALECs with specifications so that they could build this capability into their own systems. If the issue of online edit checking capability had been part of this docket, BellSouth would have filed detailed testimony concerning this issue. The Commission erred in deciding an issue that was not part of this docket and which neither BellSouth nor *Supra* addressed. For these reasons, the Order is in error

and should be reconsidered.

### **III. Clarification**

The Commission's Order requires BellSouth to implement various other findings. BellSouth is actively pursuing this implementation. The following constitutes BellSouth's actions on each of the findings to be implemented, with BellSouth seeking clarification where needed.

#### **A. CABS formatted bills**

Section 1.1 of Attachment 7 to the Interconnection Agreement states that BellSouth will provide billing through the Carrier Access Billing System ("CABS") and the Customer Records Information System ("CRIS") depending on the particular services requested by Supra. For resale, generally the CRIS system is used and the Customized Large User Bill ("CLUB") format is produced in CRIS. CABS formatted billing is offered on resale services, however, the billing records are quite complex and investment is required for both BellSouth and the ALEC. BellSouth, however, will offer Supra the option of CABS formatted bills.

#### **B. USOC Codes**

BellSouth will provide Supra with a list of which USOCs are discounted and which are not. With regard to automatic population of fields with USOC codes, it should be noted that only BellSouth's retail residential system (RNS) performs this function. LENS presently performs this function; EDI does not. Since only BellSouth's residential retail system performs this function for BellSouth, BellSouth believes it is in compliance with the Order.

**C. Reservation and Assignment of Telephone Numbers**

BellSouth's RNS can only reserve 25 numbers at a time. LENS has been modified to reserve an unlimited number of telephone numbers. Thus, BellSouth is in compliance with this part of the Order. The Order also requires BellSouth to modify LENS to automatically assign a telephone number to an end user when the customer's address is validated. The LENS update to add this feature will be in place by February, 1999. BellSouth will attempt to move this date up, but because of modifications requested by more than one ALEC, may not be able to do so.

**D. Central Office Addresses**

BellSouth will provide Supra with the addresses of all BellSouth's central offices. Moreover, LENS has been modified to allow the reservation of telephone numbers for Remote Call Forwarding service.

**E. Training of Employees**

BellSouth is in the process of retraining its employees on the proper procedures for handling ALEC repairs and inside wire maintenance problems. This retraining should be completed by the end of August.

**F. Customer Complaints**

BellSouth is in the process of advising its service representatives and customer contact personnel that, if contacted by Supra customers regarding complaints against Supra, they should direct the customer to Supra.

**G. Outstanding Documentation**

The Order requires BellSouth to provide any outstanding documentation

requested by Supra. BellSouth has provided Supra with the edits used by LEO and LESOG. The edits used by SOCS (Service Order Edit Routines ("SOER")) are available on the BellSouth Interconnection website and directions thereto have been given to Supra. The technical reference manuals that exist and that are approved for public access are also on the website. Supra has also been directed to Bellcore. Supra has been advised of the method of obtaining electronic communications. With regard to API documentation, BellSouth is preparing a protective agreement for signature by Supra since this documentation contains intellectual property. BellSouth has also provided Supra with instructions on how to obtain the LERG from Bellcore.

With regard to the "database documentation" requested by Supra, BellSouth avers that it has provided Supra with everything requested. If the Commission has more specification on this item, BellSouth would welcome it.

With regard to the PLATS, BellSouth seeks clarification. PLATS is the cable layout and engineering records of BellSouth. These records are voluminous and considered proprietary by BellSouth. The request goes far beyond the requirements of the Act and the interconnection agreement. BellSouth requests clarification that the Commission require BellSouth to provide access of these records on a narrowly tailored request basis when necessary for a particular reason. BellSouth would provide such access within a reasonable time.

Conclusion

BellSouth requests that its Motion for Reconsideration and Clarification be granted and that the Commission adopt BellSouth's position on the issues discussed herein.

Respectfully submitted this 6th day of August, 1998.

BELLSOUTH TELECOMMUNICATIONS, INC.

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