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99 JUN 29 PM 4:44

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RECORDS AND
REPORTING

June 29, 1999

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. 981834-TP (FCCA Petition/UNEs)

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s Response to the Motion of ACI Corp. to Expand Scope of Independent Third Party Testing of BellSouth's Operational Support Systems, which we ask that you file in the above-referenced matter.

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,

Michael P. Goggin (KR)
Michael P. Goggin

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[Signature]
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cc: All Parties of Record
Marshall M. Criser III
William J. Ellenberg II

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**CERTIFICATE OF SERVICE
Docket No. 981834-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U. S. Mail this 29th day of June, 1999 to the following:

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Competitive) Docket No. 981834-TP
Carriers for Commission Action)
To Support Local Competition)
In BellSouth's Service Territory)
_____) Filed: June 29, 1999

**RESPONSE OF BELLSOUTH TELECOMMUNICATIONS, INC. TO
THE MOTION OF ACI CORP. TO EXPAND SCOPE OF
INDEPENDENT THIRD PARTY TESTING OF
BELLSOUTH'S OPERATIONAL SUPPORT SYSTEMS**

BellSouth Telecommunications, Inc. ("BellSouth") hereby responds to the motion (the "Motion") filed by ACI Corp. ("ACI") to expand the scope of independent third party testing of BellSouth's operational support systems ("OSS"). The Motion should be denied because it raises issues beyond the scope of this docket.

For example, ACI evidently wishes to suggest that BellSouth be required to provide information regarding any loop ACI might wish to order regarding the loop length, wire gauge, the presence of equipment such as load coils, or digital loop carrier systems, and other data that might affect the ability of a carrier to provide xDSL services over the loop. Motion at 2. ACI evidently believes that BellSouth should have to develop and provide this information at its own cost, and deliver it to ACI in "real time" before ACI decides to order the loop. Id. Finally, ACI maintains that it needs this information because, for example, it might require BellSouth to remove any load coils, etc. to make it possible for ACI to offer the xDSL services it desires. Id. at 3.

ACI's Motion raises a host of issues, such as to what extent high speed data networks (whether provided through cable facilities, multi-point distribution

systems, satellite or xDSL technology) should be regulated, whether BellSouth has any obligation to modify its network facilities at the request of a wholesale customer, and whether DSL-capable loops are to be considered UNEs for purposes of the Telecommunications Act. These issues are currently the subject of numerous legislative initiatives in the United States Congress and regulatory proceedings before the Federal Communications Commission and this Commission. ACI has ample opportunity in these fora to make its views known regarding the sorts of products and services it believes BellSouth should be required to provide.

The AT&T/FCCA motion concerns whether the Commission should require independent third party testing of BellSouth's OSS, not questions about whether BellSouth should have to make specific modifications to its loops at the request of an ALEC, or questions about whether xDSL-ready loops should be considered a UNE. In other words, third party testing concerns the processes by which BellSouth makes products and services available to ALECs, not the products and services themselves.

BellSouth believes third party testing can provide objective answers to the questions ALECs have raised concerning the adequacy of BellSouth's OSS, and can do so in a relatively short time frame if the Commission remains focused on this goal. If the Commission allows itself to be sidetracked by issues such as those proposed by ACI, however, it will be months, if not years, before testing could even be considered.

In addition, although ACI has styled its filing as a motion, it is merely a late-filed response to the motion for third party testing filed by AT&T of the Southern States, Inc. ("AT&T") and the Florida Competitive Carriers Association ("FCCA") on May 28, 1999. For that reason alone, the Commission may disregard it.

For the foregoing reasons, BellSouth requests that ACI's Motion be denied.

Respectfully submitted this 29th day of June, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

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