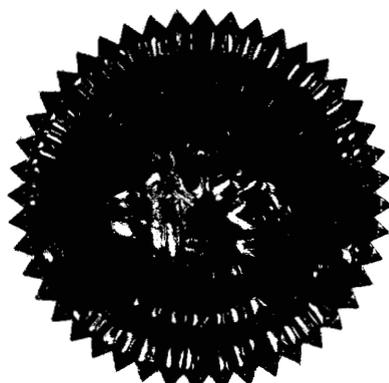


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 000649-TP

PETITION BY MCIMETRO ACCESS :
TRANSMISSION SERVICES, LLC AND MCI :
WORLD COM COMMUNICATIONS, INC. FOR :
ARBITRATIONS OF CERTAIN TERMS AND :
CONDITIONS OF A PROPOSED AGREEMENT :
WITH BELL SOUTH TELECOMMUNICATIONS, :
INC. CONCERNING INTERCONNECTION AND :
RESALE UNDER THE TELECOMMUNICATIONS :
ACT OF 1996. :



*
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VOLUME 1

Pages 1 through 180

PROCEEDINGS: HEARING

BEFORE: COMMISSIONER E. LEON JACOBS, JR.
COMMISSIONER LILA A. JABER
COMMISSIONER BRAULIO L. BAEZ

DATE: Wednesday, October 4, 2000

TIME: Commenced at 9:30 a.m.

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

REPORTED BY: JANE FAUROT, RPR
FPSC Division of Records & Reporting -
Chief, Bureau of Reporting

DOCUMENT NUMBER-DATE
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1 APPEARANCES:

2 RICHARD D. MELSON, Hopping, Green, Sams & Smith,
3 P.A., 123 South Calhoun Street, P. O. Box 6526,
4 Tallahassee, Florida 32314; DONNA CANZANO McNULTY, MCI
5 WorldCom, Inc., 325 John Knox Road, Suite 105,
6 Tallahassee, Florida 32303; and DULANEY L. O'ROARK, III,
7 MCI WorldCom, Inc., Six Concourse Parkway, Suite 3200,
8 Atlanta, Georgia 30328, appearing on behalf of MCImetro
9 Access Transmission Services, LLC and MCI WorldCom
10 Communications, Inc. .

11 MICHAEL GOGGIN, 150 West Flagler Street, Suite
12 1910, Museum Tower, Miami, Florida 33130 and BENNETT L.
13 ROSS, 675 W. Peachtree Street, N.E., Suite 4300, Atlanta,
14 Georgia 30375, appearing on behalf of BellSouth
15 Telecommunications, Inc.

16 PATRICIA A. CHRISTENSEN and LEE FORDHAM, FPSC
17 Division of Legal Services, 2540 Shumard Oak Boulevard,
18 Tallahassee, Florida 32399-0850, appearing on behalf of
19 the Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER JACOBS: Call the hearing to order.
3 Counsel, read the notice.

4 MS. CHRISTENSEN: By notice issued September
5 14th, 2000, this time and place have been set for a
6 hearing in Docket 000649-TP, a petition by MCI Access
7 Transmission Services, LLC, and MCI WorldCom
8 Communications, Inc., for arbitration of certain terms and
9 conditions of a proposed agreement with BellSouth
10 Telecommunications, Inc. concerning interconnection and
11 resale under the Telecommunications Act of 1996. The
12 purpose of this hearing is as set forth in the notice.

13 COMMISSIONER JACOBS: Take appearances.

14 MS. McNULTY: This is Donna McNulty appearing on
15 behalf of WorldCom.

16 MR. O'ROARK: De O'Roark appearing on behalf of
17 WorldCom.

18 MR. MELSON: Rick Melson appearing on behalf of
19 WorldCom.

20 MR. GOGGIN: This is Michael Goggin appearing on
21 behalf of BellSouth.

22 MR. ROSS: Bennett Ross on behalf of BellSouth.

23 MS. CHRISTENSEN: Patty Christensen appearing on
24 behalf of Staff. I would also like to enter an appearance
25 on behalf of Lee Fordham for Staff.

1 COMMISSIONER JACOBS: Very well. I understand
2 we have some preliminary matters?

3 MS. CHRISTENSEN: Yes, Commissioner, we have
4 several preliminary matters. Staff would like to note
5 that there is an outstanding claim of confidential matters
6 that was filed by WorldCom on September 7th. However,
7 there has not been a request filed yet. When and if this
8 hearing is used in the hearing and that notice is filed,
9 we would like to address that by an order at a later time.

10 In addition, there are a number of stipulated
11 exhibits which staff would recommend marking for the record
12 and addressing those matters at this time.

13 COMMISSIONER JACOBS: Very well. That is okay.
14 Go ahead.

15 MS. CHRISTENSEN: The first exhibit that we would
16 like to address is the official recognition list for this
17 proceeding. Staff recommends that this be marked as
18 Hearing Exhibit 1, and in lieu of reading this rather
19 extensive list into the record.

20 COMMISSIONER JACOBS: All the parties have
21 copies of it, I'm sure. No Objections?

22 MR. ROSS: No objection, Commissioner Jacobs.
23 We do have two additions that we would like to add to the
24 official recognition list.

25 COMMISSIONER JACOBS: Very well.

1 MR. ROSS: Specifically, in the category of
2 court decisions, as the Commission may be aware, the
3 Federal Court for the Northern District of Florida issued
4 a decision in AT&T Communications of the Southern States,
5 Inc. versus BellSouth Telecommunications, Inc. It is Case
6 Number 4:97CV262-RH, and that was issued on September 28
7 of the year 2000.

8 BellSouth also would ask that the Commission take
9 recognition of a decision from the Public Utility
10 Commission of Texas, in re: Proceeding to Examine
11 Reciprocal Compensation Pursuant to Section 252 of the
12 Federal Telecommunications Act of 1996. It is Docket
13 21982. And with those additions, BellSouth has no
14 objection to the official recognition list.

15 COMMISSIONER JACOBS: Any objections?

16 MR. MELSON: No. I have a couple of additions,
17 but I wanted to make sure I got the first citation right.

18 Mr. Ross, what was the district court decision?

19 MR. ROSS: AT&T Communications of the Southern
20 States, Inc. versus BellSouth Telecommunications, Inc.

21 MR. MELSON: And what date?

22 MR. ROSS: September 28, 2000; just last week.

23 MR. MELSON: I haven't seen it yet.

24 MR. ROSS: Okay.

25 COMMISSIONER JACOBS: Hot off the press. Why .

1 don't you take a moment to look at it.

2 MR. MELSON: Mr. Chairman, I have got two
3 additions I would like to make also to the official
4 recognition list.

5 COMMISSIONER JACOBS: Okay.

6 MR. MELSON: One is the order of Judge Hinkle in
7 Case Number 4:97CV141-RH, dated June 6th, 2000. That was
8 the --

9 COMMISSIONER JACOBS: Give me the case number
10 again, please.

11 MR. MELSON: I'm sorry?

12 COMMISSIONER JACOBS: Could you give me the case
13 number again, please.

14 MR. MELSON: 4:97CV141-RH, and that is in MCI
15 Telecommunications Corporation versus BellSouth. The
16 second, on the first page of the official recognition
17 list, the staff lists an Item 1, several orders in Docket
18 960833. We believe there is another order from that
19 docket that should also be included, which is
20 PSC-97-0602-FOF-TP.

21 COMMISSIONER JACOBS: That takes care of your
22 additions, Mr. Melson?

23 MR. MELSON: Yes, sir.

24 COMMISSIONER JACOBS: Any objections? Very
25 well.

1 MR. ROSS: No objections.

2 COMMISSIONER JACOBS: And did you -- you asked
3 to move this into the record?

4 MS. CHRISTENSEN: Yes, Commissioner, we are
5 asking to move the exhibit into the record.

6 COMMISSIONER JACOBS: As amended we will move
7 Exhibit 1 into the record, admit it.

8 (Exhibit Number 1 marked for identification and
9 admitted into the record.)

10 COMMISSIONER JACOBS: And you had some other --

11 MS. CHRISTENSEN: Yes, Commissioner. The next
12 matter I would like to address are the depositions that
13 were conducted for the multi-state arbitration which have
14 been stipulated by the parties and staff for use as
15 evidence in this proceeding. Staff would recommend that
16 these depositions be marked as Hearing Exhibits 9 through
17 -- or, I'm sorry, 2 through 9.

18 COMMISSIONER JACOBS: Just a moment.

19 MR. MELSON: Commissioner Jacobs, WorldCom
20 handed out the four depositions.

21 COMMISSIONER JACOBS: I don't have four here.

22 COMMISSIONER JABER: Mr. Melson, which ones did
23 you hand out?

24 MR. MELSON: You should have Mr. Varner, Mr.
25 Scollard, Mr. Milner, and Mr. Pate.

1 MS. McNULTY: Thank you.

2 COMMISSIONER JACOBS: And you had others?

3 MS. CHRISTENSEN: Yes, Commissioner. I believe
4 the other depositions were being offered by BellSouth.

5 COMMISSIONER JACOBS: Let's mark these first and
6 then we will go to BellSouth's transcripts. We will mark
7 the deposition of Alphonso Varner as Exhibit 2. We will
8 mark the transcript deposition of David Scollard as
9 Exhibit 3. The transcript deposition of Mr. Milner, Keith
10 Milner as Exhibit 4, and the transcript deposition of Mr.
11 Ronald Pate as Exhibit 5.

12 MS. McNULTY: And WorldCom would ask that those
13 four exhibits be admitted into the record.

14 COMMISSIONER JACOBS: No objections? Show
15 Exhibits 2 through 5 admitted. And I guess I should give
16 the identification to those are as indicated on the
17 covers, they being AJVD, DPSD, WKMD, RMPD.

18 (Exhibit Number 2 through 5 marked for
19 identification and admitted into the record.)

20 COMMISSIONER JACOBS: Mr. Bennett (sic).

21 MR. ROSS: Yes, Commissioner Jacobs. BellSouth
22 would also like to introduce into the record the
23 depositions of Sherry Lichtenberg, Michael Messina, Lee
24 Olson, and Don Price. Those depositions are being copied
25 now and we will provide -- the parties already have

1 copies, but we will provide the Commission with those.

2 COMMISSIONER JACOBS: Okay. Let's go -- I guess
3 we probably need to do each of them individually or as a
4 composite? Let's do them individually. Ms. Lichtenberg?

5 MR. MELSON: Lichtenberg.

6 COMMISSIONER JACOBS: L-E-I-G-H-T-E-N?

7 MR. ROSS: L-I-C-H-T-E-N-B-E-R-G, Sherry
8 Lichtenberg.

9 COMMISSIONER JACOBS: Okay. We will mark her
10 transcript as Exhibit 6.

11 MR. ROSS: The next one will be Michael S.
12 Messina, M-E-S-S-I-N-A.

13 COMMISSIONER JACOBS: That will be Exhibit 7.

14 MR. ROSS: And the next one would be Lee Olson,
15 O-L-S-O-N.

16 COMMISSIONER JACOBS: Exhibit 8.

17 MR. ROSS: And the last one would be Mr. Don
18 Price.

19 COMMISSIONER JACOBS: That will be Exhibit 9.
20 And without objection we will show those stipulated, as
21 well, correct? Show those admitted.

22 (Exhibit Number 7 through 9 marked for
23 identification and admitted into the record.)

24 COMMISSIONER JACOBS: Staff.

25 MS. CHRISTENSEN: Commissioner, the next items.

1 that staff would like to address are several exhibits that
2 were attached to WorldCom's petition which the parties and
3 staff have agreed to stipulate for use in evidence in this
4 proceeding. Staff would recommend that these exhibits be
5 marked as Hearing Exhibits 10 through 12, and those would
6 include the --

7 COMMISSIONER JACOBS: They are attached to
8 testimony, you said?

9 MS. CHRISTENSEN: These are exhibits that were
10 attached to the petition that MCI filed. That would be
11 Stipulation A offered by WorldCom. It is Exhibit A to
12 WorldCom's petition. It is a letter from BellSouth to
13 WorldCom dated December 7th, 1999.

14 COMMISSIONER JACOBS: Is this a composite or
15 several?

16 MS. CHRISTENSEN: We would recommend doing each
17 of these exhibits separately, and we would recommend
18 marking Stip A as Hearing Exhibit 10.

19 MR. MELSON: Commissioner Jacobs, these are
20 listed at Page 39, I believe, of the prehearing order.

21 COMMISSIONER JACOBS: I have a list here, as
22 well.

23 MR. MELSON: It's Page 39 on my copy. I've got
24 a fax, so the page numbering may be slightly different.

25 COMMISSIONER JACOBS: I had a list, I just

1 wanted to make sure. Thank you, though.

2 Okay, Stip A is offered by WorldCom. Show that
3 marked as Exhibit 10.

4 MS. CHRISTENSEN: The next exhibit would be
5 Stipulation B, WorldCom's Exhibit B to the petition, and
6 that is the matrix of unresolved issues. I believe you
7 can find this at Page 43 of the prehearing order, if you
8 have not found it.

9 COMMISSIONER JACOBS: Okay.

10 MS. CHRISTENSEN: And we would recommend that
11 that be marked as Hearing Exhibit 11.

12 COMMISSIONER JACOBS: Show it marked. Okay.

13 MS. CHRISTENSEN: The next item would be
14 Stipulation C offered by WorldCom. This is MCI
15 Metro/BellSouth's draft of the Florida interconnection
16 agreement, May 2000, and we would recommend that that be
17 entered as Hearing Exhibit 12.

18 COMMISSIONER JACOBS: It is marked as Exhibit
19 12.

20 And those are all stipulations. Any objection?
21 Without objection, show them admitted.

22 (Exhibit Numbers 10, 11, and 12 marked
23 for identification and admitted into the record.)

24 MS. CHRISTENSEN: In addition, Commissioner, we
25 have two other items that the parties and staff have

1 agreed to stipulate into evidence for use at this hearing.
2 Staff would recommend that Staff Stipulation 2, which
3 consists of MCI's responses to staff's first set of
4 interrogatories and staff's second request for production
5 of documents be admitted as Hearing Exhibit Number 13.

6 COMMISSIONER JACOBS: Okay. Exhibit 13 would be
7 WorldCom responses to staff's interrogatories?

8 MS. CHRISTENSEN: That is correct.

9 COMMISSIONER JACOBS: We will call that Stip 2.
10 No objections? Show that admitted.

11 (Exhibit Number 13 marked for identification and
12 admitted into the record.)

13 MS. CHRISTENSEN: The next matter, Commissioner,
14 is the testimony and exhibits of Daonne Caldwell. And the
15 parties and staff have agreed to admit her testimony and
16 exhibits into the record as evidence, and we would
17 recommend that that be entered as Hearing Exhibit 14.

18 COMMISSIONER JACOBS: We will do that out of
19 order, is that okay? That's fine.

20 MS. McNULTY: Commissioner, I believe that is
21 Item Number 14.

22 COMMISSIONER JACOBS: Yes.

23 MR. GOGGIN: Yes. I think, Commissioner, the
24 prior item, WorldCom's responses to discovery was Exhibit
25 13, is that correct?

1 COMMISSIONER JACOBS: No. I mean, we are
2 entering her testimony into the record, and I assume out
3 of the order that was on the prehearing order. I just
4 want to make sure that is okay with everyone.

5 MR. MELSON: Commissioner Jacobs, that is fine.
6 Probably it might make more sense to have her testimony
7 inserted into the record at the point when she normally
8 would have taken the stand.

9 MR. GOGGIN: We have no objection to that. In
10 fact, we would prefer it.

11 COMMISSIONER JACOBS: Okay.

12 MS. CHRISTENSEN: That's fine, Commissioner.

13 COMMISSIONER JACOBS: Okay. We will do it that
14 way.

15 MS. CHRISTENSEN: Last, Commissioner, the
16 parties have indicated that there have been several
17 additional issues that have been resolved. That would be
18 Issue 53A, Issue 97, and Issue 99.

19 COMMISSIONER JACOBS: Very well.

20 MR. MELSON: Commissioner Jacobs, I believe
21 Issue 54 has also been resolved.

22 COMMISSIONER JACOBS: So 53A, Issue 54, Issue 97
23 and Issue 99. You have agreed on language for the
24 official position on that, on 54?

25 MR. MELSON: Commissioner Jacobs, those simply.

1 would be issues that do not need a Commission decision.

2 The parties have agreed on language.

3 COMMISSIONER JACOBS: So you are withdrawing
4 those issues, then, rather than us having to accept your
5 stipulation on them?

6 MR. MELSON: Yes, sir.

7 COMMISSIONER JACOBS: Very well. Are there any
8 other preliminary matters?

9 MR. MELSON: Commissioner Jacobs, the scope of
10 the parties' remaining dispute on Issue 2 has
11 substantially narrowed. The best time to deal with that
12 may be when Witness Price, who addressed that issue on
13 behalf of WorldCom, takes the stand before -- after we
14 insert his testimony we might just ask him to update us on
15 WorldCom's position on that issue that has been arrived at
16 through further negotiations with BellSouth.

17 COMMISSIONER JACOBS: Okay. Is that agreeable?

18 MR. GOGGIN: That is agreeable to BellSouth.

19 COMMISSIONER JACOBS: Very well. Anything else?

20 MS. CHRISTENSEN: Staff is not aware of any
21 other preliminary matters.

22 COMMISSIONER JACOBS: Okay. Why don't we then
23 swear the witnesses. Are there to be opening statements?

24 COMMISSIONER JABER: We didn't discuss that, Mr.
25 Chairman. What we have done, though, in case you are not

1 aware, is we did limit summaries of testimony to seven
2 minutes. But parties didn't request and I didn't address
3 opening statements.

4 COMMISSIONER JACOBS: You all don't need that,
5 do you?

6 MR. MELSON: Thank you.

7 COMMISSIONER JACOBS: I will be onerous. If you
8 would like. I'm just kidding. I am not opposed to it.

9 MR. MELSON: No, sir, we did not anticipate an
10 opening statement.

11 COMMISSIONER JACOBS: Very well, then.

12 All those who are scheduled to testify, would you
13 stand and raise your right hand.

14 (Witnesses sworn collectively.)

15 COMMISSIONER JACOBS: You may be seated.

16 WorldCom, call your first witness.

17 MS. McNULTY: WorldCom calls Sherry Lichtenberg.

18 THE WITNESS: Good morning, Commissioners. My
19 name is -- I'm sorry.

20 MS. McNULTY: I will ask the questions. She is
21 a very eager witness.

22 SHERRY LICHTENBERG
23 was called as a witness on behalf of MCI WorldCom
24 Communications, Inc., and having been duly sworn,
25 testified as follows:

DIRECT EXAMINATION

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BY MS. McNULTY:

Q Please state your name and business address.

A My name is Sherry Lichtenberg, that is spelled L-I-C-H-T-E-N-B-E-R-G. I am the Senior Manager for Operational Support Systems Interfaces and Facilities Testing and Development for WorldCom's Consumer Division. My address is 701 South 12th Street, Arlington, Virginia 22202.

Q And, Ms. Lichtenberg, have you prefiled direct testimony in this docket consisting of 18 pages?

A Yes, I have.

Q And have any of the issues that you have identified been resolved since the date you prefiled your direct testimony?

A Yes. We are very happy to say that we have been able to close on Issues 78, 83, 84, 88, and 89.

Q Do you have any other changes or corrections to make to that direct testimony?

A No, I do not.

Q Have you also filed rebuttal testimony consisting of 7 pages?

A Yes, I have.

Q And do you have any changes or corrections to that rebuttal testimony?

1 A No, I do not.

2 Q If I were to ask you those same questions today,
3 would your answers be the same?

4 A Yes, they would.

5 MS. McNULTY: WorldCom asks that Ms.
6 Lichtenberg's direct and rebuttal be inserted into the
7 record as though read.

8 COMMISSIONER JACOBS: Without objection, show it
9 admitted into the record as though read.

10 BY MS. McNULTY:

11 Q And, Ms. Lichtenberg, you had no exhibits to
12 that testimony, is that correct?

13 A That's correct.

14

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1 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND POSITION.**

2 A. My name is Sherry Lichtenberg. My business address is 701 S. 12th St.,
3 Arlington, Virginia 22202. I am employed by WorldCom, Inc. in the Mass
4 Markets Product Development Department as a senior manager.

5 **Q. PLEASE DESCRIBE YOUR EDUCATION AND EMPLOYMENT**
6 **BACKGROUND.**

7 A. My duties include designing, managing, and implementing WorldCom's local
8 telecommunications services to residential customers on a mass market basis
9 nationwide, including Operations Support Systems ("OSS") testing. I have
10 nineteen years experience in the telecommunications market, four years with
11 WorldCom and fifteen years with AT&T. Prior to joining WorldCom, I was
12 Pricing and Proposals Director for AT&T Government Markets, Executive
13 Assistant to the President, and Staff Director for AT&T Government Markets.

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15 A. The purpose of my testimony is to assist the Florida Public Service Commission
16 ("Commission") in resolving disputed issues between MCImetro Access
17 Transmission Services, LLC ("MCIIm") and MCI WORLDCOM
18 Communications, Inc. ("MWC"), both subsidiaries of WorldCom (and which I
19 shall refer to collectively as "WorldCom"), and BellSouth Telecommunications,
20 Inc. ("BellSouth"), with regard to a number of the issues that have arisen during
21 the negotiation of a new Interconnection Agreement. My testimony concerns
22 Attachment 8 relating to business process requirements and addresses Issues 78,
23 80, 81, 83, 84, 88-91, and 96A.

ISSUE 78

How should credit information be provided to MCIW? (Attachment 8, Section 1.7.9.)

Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING CREDIT INFORMATION?

A. WorldCom has proposed the following language in Attachment 8, with the disputed language shown in bold:

1.7.9 Customer Payment History. BellSouth will participate in NCTDE (National Consumer Telecommunications Data Exchange) and commit to providing NCTDE with two years of historical information on UCAs for their local accounts and also report current UCA information in accordance with NCTDE required timelines for the purpose of providing WorldCom with third party access to Customer Payment History. BellSouth will make the following Customer payment history information available in accordance with the NCTDE format to the extent the same is available for BellSouth's own use for each Person or entity that applies for (i) local service; or (ii) intraLATA toll Telecommunications Service(s):

1.7.9.1 Applicant's name;

1.7.9.2 Applicant's address;

1.7.9.3 Applicant's previous phone number, if any;

1.7.9.4 Amount, if any, of unpaid balance in applicant's name;

1.7.9.5 Whether applicant is delinquent on payments;

1.7.9.6 Whether applicant had local or intraLATA toll service terminated or suspended within the last six (6) months with an explanation of the reason therefor; and,

1.7.9.7 Whether applicant was required by prior local or intraLATA toll provider to pay a deposit or make an advance payment, including the amount of each.

Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?

1 A. The parties should provide credit information to a mutually agreed upon third
2 party credit reporting agency.

3 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

4 A. The information should be provided via customer service records.

5 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

6 A. WorldCom has proposed that the parties make available to a mutually agreed
7 upon third party credit reporting agency the credit information the parties have
8 agreed to provide each other. This approach will lead to the development of a
9 nationally consistent interface for credit information, rather than credit reporting
10 that varies from carrier to carrier. BellSouth is a member of the Board of
11 Directors of the National Consumer Telecommunications Database Exchange
12 ("NCTDE") and provides customer credit information to the NCTDE. A
13 satisfactory resolution of this issue could be achieved, from WorldCom's
14 perspective, if BellSouth would agree to continue providing this information to
15 the NCTDE (or another mutually agreed upon organization) for the duration of
16 the parties' new interconnection agreement.

17 **ISSUE 80**

18
19 *Should BellSouth be required to provide an application-to-application*
20 *access service order inquiry process? (Attachment 8, Sections 2.1.1.2 and*
21 *2.2.3.)*

22
23 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING AN**
24 **APPLICATION-TO-APPLICATION ACCESS SERVICE ORDER**
25 **INQUIRY INTERFACE?**

26 A. WorldCom has proposed the following language in Attachment 8:

1 2.1.1.2 In addition, at WorldCom's request, BellSouth shall
 2 design, develop, implement, test, and maintain an Application-to-
 3 Application access service order inquiry interface.
 4

5 2.2.3 BellSouth shall provide the following transaction sets for
 6 access order inquiry:
 7

8 2.2.3.1 Service Address Validation -- G1.0. This function
 9 allows WorldCom to query BellSouth's systems for address
 10 validation using CUST PREM, working ECCKT, CLLI
 11 code. BellSouth shall respond with found, not found,
 12 alternatives, or restricted. BellSouth shall provide
 13 SWC/LSO and/or address, when appropriate. If ATIS/OBF
 14 adopts the US Postal Publication 28 Standard for Service
 15 Address, BellSouth and WorldCom will base their Access
 16 Inquiry implementation on that standard.
 17

18 2.2.3.2 Service Availability -- G2.0: This function allows
 19 WorldCom to determine service availability or validate the
 20 earliest date of product service availability requested
 21 between two (2) SWC locations.
 22

23 2.2.3.3 CFA (Channel Facility Assignment) Inquiry -
 24 G3.0. This function allows WorldCom to query the current
 25 status of facility channels or slots.
 26

27 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

28
 29 A. Such an application-to-application inquiry process is needed to obtain pre-order
 30 information electronically for UNEs ordered via an access service request and
 31 should be provided.

32 **Q. WHAT IS BELL SOUTH'S POSITION ON THIS ISSUE?**

33 A. BellSouth claims it is not required to provide such a process under the Act.

34 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

35 A. WorldCom has proposed language that would require BellSouth to develop an
 36 application-to-application access service order process. WorldCom for some
 37 time now has been using access service requests ("ASRs") to order local services,
 38 and it is those local services for which WorldCom seeks an application-to-

1 application capability. Indeed, most of the local facilities WorldCom orders from
2 BellSouth in Florida today to supply dial tone to its customers are combinations
3 of DS1 loop and DS1 transport (“DS1 combos”), which are ordered using an
4 ASR. WorldCom needs pre-order functionalities, including address validation,
5 service availability inquiry and cable facilities inquiry, to enable it to order these
6 local facilities more effectively and to compete on equal footing with BellSouth.

7 **Q. WHY AS A PRACTICAL MATTER DOES WORLDCOM NEED AN**
8 **APPLICATION-TO-APPLICATION PRE-ORDERING INTERFACE FOR**
9 **LOCAL SERVICES ORDERED USING AN ASR?**

10 A. Application-to-application processing permits an ALEC, such as WorldCom, to
11 mechanize the ordering function completely. The information gathered in the pre-
12 ordering phase of a sales cycle is the information (such as present services,
13 restrictions and billing name) that ultimately will make up the order. The ability to
14 capture this information electronically during the sales pre-ordering cycle
15 minimizes errors that are typically introduced from manually transferring
16 information from one system to another.

17 **Q. BELLSOUTH HAS CONTENDED THAT WORLDCOM HAS NO NEED**
18 **FOR AN ASR PRE-ORDERING FUNCTIONALITY BECAUSE**
19 **WORLDCOM CAN ORDER UNES AND RESALE USING LOCAL**
20 **SERVICE REQUESTS. PLEASE RESPOND.**

21 A. BellSouth’s contention apparently is based on its recent decision purporting to
22 require WorldCom to use a manual LSR process to order DS1 combos rather than
23 the electronic ASR process that the parties have been using. A requirement that

1 WorldCom use a manual ordering process would be a major step backward that
 2 would lead to delays, errors and customer dissatisfaction. In resolving this issue,
 3 the Commission should require BellSouth to continue making the electronic ASR
 4 process available to WorldCom for local orders for which BellSouth does not
 5 have a tested, electronic LSR process.

6 **ISSUE 81**

7 *Should BellSouth provide a service inquiry process for local services as a*
 8 *pre-ordering function? (Attachment 8, Section 2.2.1.)*
 9

10 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 11 **BELLSOUTH'S OBLIGATION TO PROVIDE A SERVICE INQUIRY**
 12 **PROCESS?**

13 A. WorldCom has proposed the following language, which BellSouth opposes:

14 2.2.1 BellSouth shall perform service inquiry as a pre-ordering
 15 function as requested by WorldCom.
 16

17 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

18
 19 A. Service inquiries permit an ALEC to determine the facilities available to serve a
 20 customer and the location of those facilities.

21 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

22 A. BellSouth refuses to provide service inquiry process based on its contention that
 23 service inquiry is a function of ordering, not pre-ordering.

24 **Q. WHAT IS A SERVICE INQUIRY PROCESS?**

25 A service inquiry process enables the sales representative to find out whether the
 26 facilities needed to serve the customer are available, and where they are located.

27 Availability obviously is important because if facilities are not available, it will

1 take longer to provide the service than if they are. Knowing facilities availability
 2 enables us to manage customer expectations and likewise enables customers to
 3 adjust their plans based on when they can expect to receive the services they wish
 4 to order. Knowing facilities location helps in selling to customers that have
 5 particular needs such as network redundancy.

6 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

7 A. WorldCom requires this information to facilitate local sales. When a WorldCom
 8 sales representative is trying to close a sale for local service, the prospective
 9 customer may want to know whether facilities exist to provide the service it
 10 would like to receive. Customers also want to know the location of facilities so
 11 they can determine whether there is sufficient redundancy in the facilities used to
 12 serve them.

13 WorldCom has requested that BellSouth provide manual and electronic
 14 service inquiry processes for local services that may be used when the local
 15 service is being ordered via an LSR or an ASR. BellSouth has access to such
 16 information electronically, but BellSouth has refused to make this information
 17 available to WorldCom before it submits an order. BellSouth should be required
 18 to provide manual and electronic service inquiry processes on a pre-order basis.

19 **ISSUE 83**

20 *Should BellSouth be required to provide downloads of the RSAG database*
 21 *without a license agreement? (Attachment 8, Section 2.5.)*

22
 23 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 24 **BELLSOUTH'S OBLIGATION TO PROVIDE DOWNLOADS OF THE**
 25 **RSAG DATABASE?**

1 A. WorldCom has proposed the following language, which BellSouth opposes:

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11 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

12

13 A. BellSouth should provide an RSAG database download without a license

14

agreement or use restrictions.

15 **Q. WHAT IS BELL SOUTH'S POSITION ON THIS ISSUE?**

16

A. BellSouth states that it will provide a download of the RSAG database at

17

WorldCom's expense under a license agreement.

18 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

19

A. WorldCom and other ALECs obtain pre-ordering information from BellSouth via

20

electronic databases BellSouth has developed. In some cases, ALECs obtain

21

access to this information through BellSouth's OSS interfaces on a "dip-by-dip"

22

basis. In other cases, BellSouth also provides an electronic download of the

23

database that the ALEC can then integrate into its own systems. For example,

24

BellSouth previously has downloaded the PSIMS and PIC databases to

25

WorldCom without charge and without a license agreement.

26

WorldCom seeks the right to obtain a download of the RSAG database,

27

with periodic updates, without a license agreement. In an order interpreting the

28

current MCI/BellSouth agreement, the Commission has previously held that

29

MCI is entitled to a download of the RSAG database without the necessity to

1 execute a license agreement, although the Commission did impose some
 2 restrictions on the use of the RSAG data. (Order No. PSC-00-2001-FOF-TP
 3 issued June 6, 2000 in Docket No. 980281-TP).

4 **ISSUE 84**

5
 6 *Should the parties be required to develop jointly an implementation plan*
 7 *for the ordering of local switching in combination with unbundled loops,*
 8 *including UNE-P? (Attachment 8, Section 3.)*
 9

10 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 11 **JOINT IMPLEMENTATION OF A PLAN FOR THE ORDERING OF**
 12 **LOCAL SWITCHING IN COMBINATION WITH UNBUNDLED LOOPS?**

13 A. WorldCom has proposed the following language in Attachment 8, Section 3:

14 So that MCIIm may order Local Switching in combination with
 15 unbundled Loops (including UNE-P), BellSouth and MCIIm will
 16 jointly develop a detailed, mutually agreeable plan for
 17 implementation. BellSouth and MCIIm will meet within 30 days
 18 after MCIIm's written request to commence the joint development.
 19 The Parties will complete this development no later than three
 20 months after the date of MCIIm's written request. The joint
 21 implementation plan will address, but not be limited to, the
 22 processes to establish MCIIm's presence in (ILEC's) switches, and
 23 the designs for trunking, signaling routing, line class code or AIN
 24 provisioning, operator services, billing, and testing. BellSouth
 25 agrees that when MCIIm orders Local Switching combined with
 26 unbundled Loops (including UNE-P) on a LATA wide or
 27 metropolitan-area basis, (a) BellSouth will test, on a random basis,
 28 twenty percent (20%) of all the end offices in that area for correct
 29 routing and translations and (b) BellSouth will provide those test
 30 results at no additional cost to MCIIm.

31
 32 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

33
 34 A. The requested procedures will enhance the smooth roll-out of such combinations
 35 and should be adopted.

36 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

1 A. BellSouth's position is that it has already developed a plan to implement UNE-P
2 and has already implemented that plan.

3 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

4 A. WorldCom proposes that the parties jointly develop an implementation plan for
5 the ordering of local switching in combination with unbundled loops, including
6 UNE-P. Such a plan would address, among other things, the processes to
7 establish WorldCom's presence in BellSouth's switches and the design for
8 trunking, signaling routing, line class code or AIN provisioning, operator service,
9 billing and testing. WorldCom also has proposed that when it orders local
10 switching in combination with unbundled loops on a LATA wide or metropolitan
11 basis, BellSouth would test twenty percent of its end offices in the area for correct
12 routing and translations. These procedures would help ensure the smooth rollout
13 of such combinations.

14 **ISSUE 88**

15
16 *For customer premises installations, should BellSouth be required, at*
17 *MCIW's request, to cable from the demarcation point to the customer's*
18 *equipment location in accordance with BellSouth's procedures and at*
19 *parity with the provision of such services to BellSouth's customers?*
20 *(Attachment 8, Section 3.2.8.3.)*

21
22 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
23 **CUSTOMER PREMISES INSTALLATIONS?**

24 A. WorldCom has proposed the following language in Attachment 8:

25 3.2.8.3 In accordance with BellSouth's procedures and on Parity
26 with provision of such services to BellSouth's customers, at
27 WorldCom's request, BellSouth shall, as specified on WorldCom's
28 order, cable from the demarcation point to the customer's
29 equipment location. Rates and charges for this work shall be at
30 Parity with those charged by BellSouth to its customers.

1 **Q. WHAT ISSUE GIVES RISE TO THE PARTIES' DISAGREEMENT OVER**
 2 **THIS LANGUAGE?**

3 A. The issue is whether, for customer premises installations, BellSouth should be
 4 required, at WorldCom's request, to cable from the demarcation point to the
 5 customer's equipment location in accordance with BellSouth's procedures and at
 6 parity with the provision of such services to BellSouth's customers.

7 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

8
 9 A. BellSouth should provide parity with respect to the provisioning of inside wire
 10 and therefore be required to provide the requested service upon request.

11 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

12 A. BellSouth's position is that it is not obligated by the Act or the FCC's Rules to
 13 install inside wire for WorldCom or end users.

14 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

15 A. WorldCom has proposed that for customer premises installations, BellSouth be
 16 required, at WorldCom's request, to cable from the demarcation point to the
 17 customer's equipment location in accordance with BellSouth's procedures and at
 18 parity with the provision of such services to BellSouth's customers. This
 19 procedure is required to provide parity with respect to the provisioning of inside
 20 wire.

21 **ISSUE 89**

22 *When BellSouth rejects an MCIW order, should it be required to identify*
 23 *all errors in the order that would cause it to be rejected? (Attachment 8,*
 24 *Section 3.2.10.1.)*

25

1 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 2 **IDENTIFICATION OF ALL ERRORS ON AN ORDER REJECTION?**

3 A. WorldCom has proposed the following language in Attachment 8, with the
 4 disputed language shown in bold:

5 3.2.10.1 BellSouth shall reject and return to MCIIm any service
 6 request that BellSouth cannot provision, due to technical reasons,
 7 or for missing, inaccurate or illegible information. When an order
 8 is rejected, BellSouth shall, in its reject notification, specifically
 9 describe all of the reasons for which the order was rejected.
 10 **BellSouth shall review the entire order, and shall identify all**
 11 **reasons for rejection in a single review of the current version**
 12 **(e.g., ver 00, 01, etc.) of the LSR.**

13
 14 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

15
 16 A. Identifying all errors in the order will prevent the need for submitting the order
 17 multiple times, and such identification therefore should be required.

18 **Q. WHAT IS BELL SOUTH'S POSITION ON THIS ISSUE?**

19 A. BellSouth contends that its systems do not enable it to identify all errors in an
 20 order.

21 **ISSUE 90**

22 *Should BellSouth be required to provide completion notices for manual*
 23 *orders?*

24
 25 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 26 **BELL SOUTH'S PROVISION OF COMPLETION NOTICES FOR**
 27 **MANUAL ORDERS?**

28 A. The parties have proposed the following language, with WorldCom language in
 29 bold and BellSouth language in italics:

30

1 3.2.15 Completion Notification. Upon completion of a service
 2 request submitted electronically, BellSouth shall submit to MCIIm,
 3 **via the same electronic interface used to submit the order, an**
 4 **order completion notification that complies with the OBF/LSOG**
 5 **business rules and ATIS models, as modified by the CCP. For**
 6 **manual LSRs, the completion notification shall be sent**
 7 **manually to the MCIIm ordering center designated on the LSR.**
 8 *Completion information for service requests submitted both*
 9 *manually and electronically is available via BellSouth's web based*
 10 *system known as CSOTS.*
 11

12 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

13
 14 A. WorldCom should receive completion notices for all orders, including manual
 15 orders.

16 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

17 A. BellSouth contends it should not be required to provide completion notices for
 18 manual orders.

19 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

20 A. A completion notice notifies WorldCom that BellSouth has provisioned a service
 21 order and that the customer has been switched over from BellSouth to WorldCom.
 22 Without a completion notice, WorldCom has no way of knowing whether or when
 23 BellSouth has switched over service for an WorldCom customer. WorldCom
 24 must know the date that it begins providing service to the customer so WorldCom
 25 can bill the customer correctly and provide maintenance and repair services.

26 BellSouth has refused to agree to provide WorldCom completion notices
 27 for manual orders. WorldCom is entitled to submit manual orders and BellSouth
 28 should be required to receive completion notices when it does so.

1 **Q. DOES BELLSOUTH'S CLEC SERVICE ORDER TRACKING SYSTEM**
2 **("CSOTS") PROVIDE A SATISFACTORY ALTERNATIVE TO ACTUAL**
3 **COMPLETION NOTICES?**

4 A. No. Although providing completion notification via CSOTS might be convenient
5 for BellSouth, it would be costly and inefficient for WorldCom. Either
6 WorldCom's representatives would be required to monitor CSOTs on a regular
7 basis for completion indications (with the attendant errors that would flow from
8 using such a process), or WorldCom would have to develop systems that would
9 process CSOTS data, along with internal data on manual orders, and route
10 notifications to WorldCom representatives. A process in which BellSouth
11 provides an electronic or manual completion notice as directed on WorldCom's
12 order would be simpler and result in few errors and therefore fewer problems for
13 consumers. BellSouth therefore should be required to provide completion notices
14 for manual orders.

15 Completion notices are required for billing customers. An ALEC cannot
16 start billing until the completion is received. In both New York and Texas, the
17 ILECs provide notices of completion on manually worked and submitted orders.
18 They do this either by fax, an email process, or by entering the completion into
19 their systems, which sends the completion back by EDI in New York and a
20 graphical user interface (known as a "GUI") in Texas. There is no reason that
21 BellSouth could not do this. Indeed, a simple fax or email to the address that sent
22 the order would be better for ALECs and easier for BellSouth than the current
23 process.

ISSUE 91

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What intervals should apply to FOCs? Should BellSouth be required to check facilities before returning an FOC? (Attachment 8, Section 3.4.1.2.)

Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING FIRM ORDER CONFIRMATION ("FOC") INTERVALS AND WHETHER BELL SOUTH SHOULD BE REQUIRED TO CHECK FACILITIES BEFORE RETURNING AN FOC?

A. WorldCom has proposed the following language, which BellSouth opposes:

3.4.1.2 BellSouth shall provide MCI a FOC within the following intervals and all such FOCs shall be firm commitments based on BellSouth's check of available facilities.

3.4.1.2.1 for DS1 service requests (trunk augments or new trunk groups), within two business days after receipt of the ASR;

3.4.1.2.2 for DS3 service requests (trunk augments or new trunk groups), within three business days after receipt of the ASR;

3.4.1.2.3 for DS0/DS1 Loops (new Loops or augments to existing service), within two business days after receipt of the LSR; and

3.4.1.2.4 for DS3 Loops (new Loops or augments to existing service), three business days after receipt of the LSR.

Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?

A. WorldCom's proposed intervals should apply to FOCs. BellSouth should be required to check facilities before returning an FOC so that it represents a firm commitment to provide service on the specified date.

Q. WHAT IS BELL SOUTH'S POSITION ON THIS ISSUE?

A. BellSouth's intervals should apply to FOCs. BellSouth contends that it should not necessarily be required to check facilities before issuing an FOC.

Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?

1 A. WorldCom's proposed firm order confirmation intervals should be adopted
 2 because they reasonably require a more prompt response to WorldCom's orders
 3 then do BellSouth's proposed intervals. In addition, an FOC that WorldCom
 4 receives should truly be a "firm" order confirmation that it can rely on, which
 5 means that BellSouth must check available facilities and confirm availability
 6 before returning the FOC.

7 **ISSUE 96A**

8
 9 *Should BellSouth be required to provide customer service record (CSR)*
 10 *information in a format that permits its use in completing an order for service?*
 11 *(Attachment 8, Section 2.1.2.1.)*

12 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 13 **THIS ISSUE?**

14 A. WorldCom has proposed the following language in Attachment 8:

15
 16 2.1.2.1 The Customer Service Record ("CSR") provided by
 17 BellSouth in Section 2.1.2 above shall be parsed according to
 18 industry standards, and such that the information in the CSR can be
 19 readily applied to an LSR by MCI. If no industry standard
 20 exists, the parsing shall be done as specified by the CCP.

21
 22 **Q. WHAT IS A CSR?**

23 A. A CSR is a customer service record that provides information such as the
 24 customer's full name, address and features and services used. An ALEC must
 25 obtain access to the CSR to obtain such information so that information can be
 26 transferred to a local service order that is submitted to BellSouth.

27 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

28 A. WorldCom's position is that BellSouth should either parse CSR information in
 29 accordance with industry standards or, if no industry standards exist, should

1 address the parsing of CSR information through the established Change Control
2 Process (CCP).

3 **Q. WHAT IS BELLSOUTH'S POSITION?**

4 A. BellSouth's position is that it provides CSR information to ALECs in the same
5 format it uses internally and is not obligated to further parse such information.

6 **Q. DOES BELLSOUTH PROVIDE CSRS IN A WAY THAT ENABLES
7 ALECS LIKE WORLDCOM TO USE CSR INFORMATION ON A
8 MACHINE TO MACHINE BASIS?**

9 A. No. While BellSouth has agreed to provide WorldCom with access to CSR
10 information, that information is provided in a format that does not permit it to be
11 used to complete an LSR automatically. Specifically, the LSR requires that the
12 information be parsed at a lower level (e.g. the street number must be provided in
13 a different field from street name) than is provided by the CSR. Unless CSR
14 information is parsed at a sufficiently low level that it can be used to populate an
15 LSR electronically, human intervention is required to place an order for service.
16 This human intervention increases error rates and results in rejection of orders at a
17 higher rate than BellSouth experiences for its own services. BellSouth today uses
18 CSR information to populate automatically orders in its own ordering system.

19 **Q. WHAT IS WORLDCOM REQUESTING?**

20 A. WorldCom has proposed language that would require BellSouth to parse CSR
21 information according to industry standards in a manner that would allow the
22 information to be readily applied by WorldCom to an LSR. If no industry
23 standards exist, WorldCom proposes that adequate parsing be addressed through

1 BellSouth's established CCP for implementing changes to its OSS. BellSouth
2 refuses to agree to this proposal. In order to provide parity between WorldCom
3 and BellSouth in the ability to electronically process pre-ordering and ordering
4 information, the Commission should require that WorldCom's proposed language
5 be included in the Interconnection Agreements.

6 **Q. DOES THAT CONCLUDE YOUR DIRECT TESTIMONY?**

7 **A.** Yes it does.

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1 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND POSITION.**

2 A. My name is Sherry Lichtenberg. My business address is 701 S. 12th St.,
3 Arlington, Virginia 22202. I am employed by WorldCom, Inc. in the Mass
4 Markets Product Development Department as a senior manager. In my
5 testimony, I will use the term "WorldCom" to refer to both MCImetro Access
6 Transmission Services, LLC and MCI WORLDCOM Communications, Inc.

7 **Q. HAVE YOU PREVIOUSLY FILED DIRECT TESTIMONY IN THIS**
8 **DOCKET?**

9 A. Yes.

10 **Q. HAVE ANY ISSUES THAT YOU DISCUSSED IN YOUR DIRECT**
11 **TESTIMONY SUBSEQUENTLY BEEN RESOLVED?**

12 A. Yes. Issues 78, 83, 84, 88 and 89 have now been resolved.

13 **Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY?**

14 A. The purpose of my rebuttal testimony is to respond to arguments made by
15 BellSouth witness Pate concerning issues 80, 81, 90-91 and 96A.

16 **ISSUE 80**

17 *Should BellSouth be required to provide an application-to-application*
18 *access service order inquiry process? (Attachment 8, Sections 2.1.1.2*
19 *and 2.2.3.)*
20

21 **Q. AT PAGE 12 OF HIS TESTIMONY, MR. PATE CONTENDS THAT**
22 **ACCESS SERVICES ARE NOT PART OF BELLSOUTH'S**
23 **OBLIGATIONS UNDER THE ACT AND THAT WORLDCOM SHOULD**
24 **NOT BE PERMITTED TO USE THIS ARBITRATION TO TRY TO**

1 *Should BellSouth provide a service inquiry process for local services as*
2 *a pre-ordering function? (Attachment 8, Section 2.2.1.)*
3

4 **Q. DOES BELLSOUTH PROVIDE A SATISFACTORY SERVICE**
5 **INQUIRY PROCESS?**

6 A. No. Mr. Pate describes a service inquiry process that an ALEC can use “[i]f the
7 ALEC desires to have BellSouth immediately order the service once the [service
8 inquiry] is complete and compatible facilities are [available].” (Pate, pp. 14-15.)
9 Mr. Pate does not discuss what the ALEC can do if it wishes to submit a service
10 inquiry but does not necessarily wish to order the service. My understanding is
11 that BellSouth does not offer this capability on a pre-order basis.

12 It is often the case that WorldCom needs facilities information as a part
13 of its efforts to close a sale – that is, before WorldCom is in a position to submit
14 an LSR. Even assuming that WorldCom could obtain all the information
15 necessary to populate an LSR before making the sale, BellSouth’s proposed
16 method would require WorldCom to submit an order with the service inquiry
17 and then cancel the order if it was not able to make the sale. That approach is
18 wasteful and gives rise to the risk that BellSouth’s systems would not cancel
19 orders in a timely manner.

20 **Q. MR. PATE CONTENDS THAT THE SERVICE ORDER INQUIRY**
21 **PROCESS IS ACCOMPLISHED IN SUBSTANTIALLY THE SAME**
22 **TIME AND MANNER AS THAT OF BELLSOUTH’S RETAIL**
23 **ORGANIZATION. HOW DO YOU RESPOND?**

1 A. BellSouth has records providing facilities information. I understand based on
2 Mr. Pate's testimony in the North Carolina arbitration case that BellSouth's
3 account teams have some access to this information on a pre-order basis. In any
4 event, BellSouth has access to this information and should not be allowed to
5 restrict its availability based on how it chooses to distribute that information
6 within its own organization.

7 **ISSUE 90**

8 *Should BellSouth be required to provide completion notices for manual*
9 *orders?*

10
11 **Q. DOES THE CSOTS PROPOSAL DESCRIBED BY MR. PATE FOR**
12 **NOTIFICATION OF COMPLETION OF MANUAL ORDERS PROVIDE**
13 **A SATISFACTORY ALTERNATIVE TO ACTUAL COMPLETION**
14 **NOTICES?**

15 A. No. As I discussed in my Direct Testimony, using CSOTS would be costly and
16 inefficient for WorldCom. In addition, my understanding is that BellSouth
17 provides itself completion notification information electronically so that its
18 records used for functions such as billing and maintenance and repair are
19 updated automatically. BellSouth thus provides itself substantially better
20 completion notification than it proposes to offer to WorldCom.

21 **ISSUE 91**

22 *What intervals should apply to FOCs? Should BellSouth be required to*
23 *check facilities before returning an FOC? (Attachment 8, Section*
24 *3.4.1.2.)*
25

1 **Q. MR. PATE STATES THAT BELL SOUTH CHECKS FACILITIES**
2 **BEFORE ISSUING A FIRM ORDER CONFIRMATION ONLY FOR**
3 **CERTAIN SERVICES. IS THIS PRACTICE REASONABLE?**

4 A. No. If BellSouth does not check facilities before issuing the FOC, ALECs
5 cannot have any degree of confidence in the installation date provided on the
6 FOC. When BellSouth discovers a facilities problem once it checks facilities,
7 often the installation date must be rescheduled, causing the customer, its
8 equipment vendor and WorldCom to reschedule the cutover. It is far preferable
9 that BellSouth check for facilities problems before issuing the FOC so all parties
10 can rely on that date as firm. Scheduling delays are particularly damaging to an
11 ALEC attempting to win customers and make a name for itself in the local
12 market. BellSouth should be required to check facilities in advance to afford
13 ALECs a meaningful opportunity to compete.

14 **Q. MR. PATE STATES THAT BELL SOUTH'S FOC TIMES WOULD BE**
15 **INCREASED SIGNIFICANTLY TO ACCOMMODATE THE**
16 **ADDITIONAL PROCESS TIME ASSOCIATED WITH VERIFICATION.**
17 **HOW DO YOU RESPOND?**

18 A. WorldCom would be willing to accept BellSouth's intervals if they were based
19 on facilities checks. In any event, WorldCom's strong preference is for an FOC
20 with an installation date that WorldCom can rely on, even if that FOC takes
21 longer to provide.

22

23

ISSUE 96A

1
2 *Should BellSouth be required to provide customer service record (CSR)*
3 *information in a format that permits its use in completing an order for*
4 *service?(Attachment 8, Section 2.1.2.1)*
5

6 **Q. DOES MR. PATE EXPLAIN ADEQUATELY WHY BELL SOUTH IS**
7 **UNWILLING TO AGREE TO WORLDCOM'S POSITION ON THIS**
8 **ISSUE?**

9 A. No. WorldCom's position in a nutshell is that BellSouth should provide a CSR
10 that is parsed at the field level and can be used to pre-populate an LSR directly.
11 Mr. Pate contends that BellSouth's systems already permit sufficient parsing
12 without providing details necessary to corroborate his claim. Mr. Pate describes
13 the status of the parsing issue in the change control process, but fails to explain
14 why it would not be appropriate to rely on that process in the Interconnection
15 Agreements in the absence of national standards.

16 WorldCom has requested parsing at the field level -- which separates the
17 different pieces of information in each line (such as house number, street, and
18 community name) -- in contrast to parsing at the line level as suggested by
19 BellSouth. The field lengths and valid values in the pre-order system must
20 match those required in the LSR in order to permit WorldCom to automatically
21 populate the LSR in real time. This need is made all the more critical in light of
22 BellSouth's requirement that the complete service address must be included in
23 all orders for UNE-P migration. WorldCom recommends that BellSouth follow
24 the excellent standard established by Verizon and the ALECs who worked
25 collaboratively to develop a true parsed CSR in the Verizon region.

1 Q. DOES THAT CONCLUDE YOUR REBUTTAL TESTIMONY?

2 A. Yes.

3

1 BY MS. McNULTY:

2 Q Could you please provide a summary of your
3 testimony.

4 A Yes. Let me speak very briefly about the reason
5 that we are here today and the testimony that I am about
6 to give. My job, as I said, with MCI WorldCom is to allow
7 us to enter the local market throughout the United States.
8 In that capacity, it is my job to work directly with the
9 incumbent local exchange companies, both to understand
10 their operational support systems and to make sure that
11 those systems can support us as we begin to bring local
12 competition to consumers in states such as Florida.

13 In that role, I have become familiar not just
14 with the business needs of the residential portion of the
15 market, but also because of the understanding of the
16 operational support systems provided by the incumbent
17 companies with the needs of our business, both small and
18 large business parts of our corporation, as well.

19 My testimony generally relates to OSS and
20 business process issues, which are my area of expertise.
21 As we said, a number of those issues have been resolved.
22 And the four remaining issues that I will address you on
23 today are 80, 81, 90, 91, and 96A. Let me speak very
24 briefly about each of those.

25 Issue 80 concerns our request for an

1 application-to-application preordering interface for the
2 access service request system. We use access service
3 requests in order to procure from BellSouth combinations
4 of DS-1 loop and transport. We do this because the ASR
5 interface is electronic, it works, it is available to us,
6 and we are able to use it to provide seamless and good
7 service to our customers.

8 What we want to be able to do is to get the
9 preordering information that we need in order to populate
10 these requests from the BellSouth systems and
11 automatically populate them into our ASR. My
12 understanding is that BellSouth does that with their ROS
13 system, which I believe stands for regional operation
14 system.

15 It is very important that we are able to get
16 this preorder information and use this ASR system because
17 it is automated. BellSouth has recently told us,
18 unfortunately, that we are going to have to move from a
19 working electronic automated to a manual system with its
20 limitations based on people potentially typing in errors
21 or making mistakes. We are very concerned with that
22 because obviously electronic ordering is what we want to
23 see for all of our customers.

24 Issue 81 deals with the service inquiry process.
25 When we work with a customer, we need to find out whether

1 the services that we want to sell to that customer are
2 available at the customer's location. That information is
3 resident in the BellSouth system. Unfortunately,
4 BellSouth requests that we sell something to the customer
5 and then find out if it is available. That seems a little
6 backwards to me.

7 We want to be able to make sure that that
8 information is available on a preordering basis before we
9 order it for the customer, before we sell it to the
10 customer so we can offer that customer something he or she
11 can get. Regardless of how BellSouth makes that
12 information available to their own salespeople, that is
13 how we do business and that is the information we need.

14 Issue 90 concerns how BellSouth will provide
15 completion notifications for manual orders. A completion
16 notification tells us that a customer's service has been
17 installed, that the billing records have been changed, and
18 that it is time for us to start billing that customer and
19 to start paying BellSouth for that service. We need that
20 information in order to make a smooth transition. And we
21 want to receive it through the same interface that we
22 place the order.

23 We understand that this information is available
24 electronically to BellSouth. That it provides itself with
25 an electronic completion notification for all services .

1 that is it provisions for itself and for its wholesale
2 customers. We would like that same ability to receive
3 electronic notification.

4 Issue 91 has to deal -- deals with the
5 interfolds for firm order confirmations, referred to as
6 FOCs. Our concern here is that when we receive an FOC for
7 a business customer, we want to make sure that it means
8 that the service is available and it will be provided on
9 the date that it is confirmed. We are asking BellSouth to
10 make the FOC for a loop, an FOC that says the facility is
11 available, we are cutting over on the day that we are
12 telling you on this notification. If we don't receive
13 this firm confirmation, then we are going to have to go
14 back to our customer generally at the very last minute and
15 say, oops, we're sorry, we goofed, you will have to wait
16 for your service.

17 COMMISSIONER JACOBS: Is it your experience that
18 the FOCs you get now don't turn out to be real firm?

19 THE WITNESS: In the business world that is
20 correct, Commissioner. And, of course, it is very
21 disruptive to a customer who makes a plan to be cut over
22 on a specific date. Finally --

23 COMMISSIONER JACOBS: What happens if the FOC
24 date is not met? Does -- is the service from the old
25 provider cut off and then there is a lag between the time.

1 that it actually is switched over or does that old service
2 continue?

3 THE WITNESS: We would hope that the old service
4 continues and we reschedule. That is the way the process
5 is supposed to work. What is difficult is that generally
6 when you are cutting over new service, you have as a
7 customer your telecommunications people, your operational
8 people available and ready on a specific date. And that
9 date may get changed at the very last minute. Obviously
10 that is very disruptive.

11 COMMISSIONER JACOBS: Thank you.

12 THE WITNESS: Issue 96A concerns what we refer
13 to as the parsing of customer service records which are
14 known as CSRs at the field level. What this means is that
15 the customer service record which shows your address, your
16 name, your directory listing, the features that you have
17 on your service, that we need this information broken down
18 at the field level so that we can take it electronically
19 from the BellSouth system and populate it directly into
20 the order that we place with BellSouth.

21 Obviously, this is absolutely critical,
22 particularly to residential customers, since we need this
23 data in order to get an order through, get you the service
24 you have requested on the date you have requested and the
25 features you have requested. Unless it is parsed at the.

1 field level we are going to have to retype it. And my
2 information technology people tell me that me make
3 probably one error for every 50 key strokes. I know from
4 my own experience that I type about a negative 42 words a
5 minute when you subtract out the errors. So it is
6 extremely important to have this fully fielded and parsed
7 CSR.

8 These are the key issues that I am addressing
9 today. We look to this Commission to help us to close
10 these issues so that we can offer local service to
11 consumers particularly here in the State of Florida.

12 Q Does that conclude your summary?

13 A Yes, it does.

14 MS. McNULTY: WorldCom tenders the witness for
15 cross examination.

16 COMMISSIONER JACOBS: Very well. BellSouth.

17 CROSS EXAMINATION

18 BY MR. GOGGIN:

19 Q Ms. Lichtenberg, my name is Michael Goggin. I
20 am an attorney with BellSouth, and I would like to ask you
21 a few questions regarding your testimony today.

22 You described briefly your responsibilities for
23 WorldCom with respect to OSS systems. Can you briefly
24 describe your other responsibilities with the mass markets
25 or consumer group?

1 A Yes, I would very much like to. My
2 responsibility, as I said in my opening statement, is to
3 make sure that WorldCom can enter local markets and
4 provide residential service to consumers in the United
5 States. I have been very lucky to be responsible for our
6 entry into New York, into Texas, and just recently into
7 Pennsylvania.

8 My job is to make sure that we will be able when
9 the conditions are right, and the BellSouth OSS systems
10 work, and the pricing is good for the consumer, to be able
11 to bring that kind of competition to the State of Florida.
12 Florida is on our list, and we are working very diligently
13 to understand the requirements that we need in order to
14 place orders here, get them filled, and get consumers in
15 place.

16 My other responsibilities include working in the
17 third-party testing arena to understand where the flaws
18 are in any of the systems with which we will have to
19 interface, so that we can either help the operating
20 company to correct those problems so we won't face them
21 when we begin marketing, or to understand what they are
22 and to try to understand from our point of view how to
23 work through them and around them. In that respect I have
24 been very active here in the third-party testing in
25 Florida.

1 Once we enter a state, my team's responsibility
2 is to track our entry to see if we are getting what it is
3 that we are ordering and to make sure that we are serving
4 customers in the way that customers want to be served.
5 That is one of the reasons that I am so concerned with
6 things like completion notices, since if I make a promise
7 to a customer I want to be sure that I can fulfill that
8 promise.

9 Q WorldCom's business operations, their operation
10 that sells service to business customers is separate from
11 the consumer group, is that correct?

12 A The consumer group and the business group are
13 both part of WorldCom. We do report to different overall
14 managers. However, our information technology groups are
15 joint, we work together in the third-party testing role
16 that I lead, and we have the same concerns to make sure
17 that the operational support systems and our contracts can
18 support our market entry.

19 Q I think you mentioned before that WorldCom
20 provides residential service only in New York, Texas and
21 Pennsylvania, correct?

22 A Yes, that is where we are at this moment.

23 Q Okay. And in New York and Texas, the FCC has
24 granted petitions under Section 271 to permit the Regional
25 Bell Operating Companies in those two states to compete .

1 with WorldCom in interexchange service, isn't that
2 correct?

3 A Yes. In both New York and Texas because there
4 was at the time of the applications for 271 very stringent
5 testing of the operational support systems and local
6 competition based on the fact that carriers such as
7 WorldCom had entered the market. After long drawn-out
8 hearings and discussions, and in the case of Texas two
9 applications to the FCC, that was granted.

10 Q And you are aware, of course, that there are
11 ALECs in Florida who currently are offering residential
12 services to customers in competition with BellSouth,
13 correct?

14 A We understand that there is some limited
15 competition here in Florida, and we support that very
16 strongly. What we want to be able to bring to Florida is
17 the kind of competition that we have in the hundreds of
18 thousands in New York and Texas, and now I am very happy
19 to report in Pennsylvania. We hope to be processing 5 to
20 10,000 orders a day through these operational support
21 systems when the systems are able to support that and the
22 pricing requirements here in Florida make it possible to
23 do that.

24 Q Is it your contention that the residential ALECs
25 who are competing with BellSouth currently are unable to .

1 do so?

2 A I am not totally familiar with the number of
3 circuits that those companies are installing. I do
4 understand from discussions with those companies in the
5 third-party testing arena that there are significant
6 problems with the operational support systems, problems
7 that we are seeing in our interface development and that
8 have been seen in the third-party testing.

9 Q WorldCom does not provide residential service to
10 any customers anywhere in BellSouth's nine states, is that
11 correct?

12 A That is correct. We make a decision on how we
13 enter a market based on a number of different items.
14 First, we look at whether we can actually make a good
15 business judgment about coming into a state. Can we cover
16 our costs? Can we offer a good product to our customer
17 that they want to accept and that will work? We then look
18 at the operational support systems. Have they been
19 tested, are they strong enough, as I said, to accept
20 competition to fulfill our customers' needs. And then we
21 work with our own information technology organization to
22 schedule the development of the interfaces on our side.

23 I wish it were as easy as my pushing a button
24 and saying let's send local service requests to any ILEC
25 in the world. I am extremely happy to report, though,

1 that we are in the development stages right now for the
2 BellSouth territory, and that when we resolve the
3 operational support systems interfaces issues and the
4 financial issues that address us here, the pricing issues,
5 we will be bringing service to BellSouth's territory and
6 very soon to Florida. We have scheduled a launch here.

7 COMMISSIONER JABER: Could I ask a question to
8 follow up on what you said with respect to Pennsylvania.
9 Did the Commission finish the OSS testing in Pennsylvania?

10 THE WITNESS: No. The OSS testing in
11 Pennsylvania is on-going. We did launch in Pennsylvania.
12 It takes, as I said, about six months to develop our
13 systems to be ready to launch. We had assumed that the
14 test might be drawing to a close there. Because we had
15 started our systems development and based on the fact that
16 Verizon has proposed uniform interfaces amongst both the
17 north region and the south region, we did take the risk to
18 launch in Pennsylvania. There are issues that we are
19 finding and working through both with the Commission and
20 also with the third-party tester there.

21 COMMISSIONER JABER: So you were able to launch
22 in Pennsylvania without completion of the OSS testing and
23 without evaluating completely what the level of
24 competition would be in that state, right?

25 THE WITNESS: We were able to launch there for a

1 number of reasons. The OSS test there has revealed a
2 significant number of problems which have been corrected.
3 In our own launch we have found because, as I said, we
4 push very large numbers of orders through the interface,
5 we have found still additional problems that are being
6 addressed now directly by the Commission and by the
7 third-party tester.

8 One of the key points is that the State of
9 Pennsylvania had created a 90 to 120-day commercial
10 availability period. We are expecting the third-party test
11 report to be introduced almost immediately.

12 COMMISSIONER JABER: Tell me about the
13 introductory period. I want to understand more about
14 Pennsylvania's experience and what they did to allow
15 companies like yours to launch.

16 THE WITNESS: One of the things that we
17 discovered in New York, and we refer to it as the systems
18 meltdown problem, is that we had completed third-party
19 testing, we launched before the third-party test was
20 finished, that is very helpful to us because not only can
21 we deal directly with the operating company to try to
22 resolve those problems, but the Commission is very heavily
23 involved and so is the objective third-party tester. So
24 it works really well to help resolve key problems.

25 When Pennsylvania took a look at the New York .

1 experience and saw that in New York despite the fact that
2 the test had revealed a set of problems, in fact, a set of
3 problems that I had testified to in the hearings of lost
4 notifiers, that is, we weren't getting back our
5 provisioning completion notices or service order
6 completions we would call them here.

7 We found as the interface got more usage and
8 more and more companies entered and we got real
9 competition that those interfaces started to melt down,
10 And there was an FCC case that addressed it. The
11 Pennsylvania Commission looked at that and said
12 third-party testing is extremely important, but we think
13 that once that testing is done and once we have companies
14 entering the market, we should also look very, very
15 closely at that market entry to make sure that these OSS
16 interface problems were not in some way overlooked in the
17 test. Obviously, we all know that a test doesn't
18 necessarily prove that everything really is perfect. My
19 car just passed inspection, but the battery died. So it
20 passed the test, but it doesn't work.

21 COMMISSIONER JABER: So did the 90-day interval
22 period come out of the OSS testing?

23 THE WITNESS: The 90-day interval period came
24 out of the Pennsylvania Commission's review of what
25 happened in New York. And they said a test is really

1 good. And once that test is over we are going to watch
2 this market for 90 days and we are going to make sure that
3 real competition is here and that things work. And so we
4 will enter that 90-day period probably sometime in early
5 November or mid-November.

6 COMMISSIONER JACOBS: Much of that had to do
7 with the idea that several of the tests hadn't encountered
8 production volumes of orders. And that 90-day period was
9 to allow those production volumes of orders to go through
10 the OSS system, is that correct?

11 THE WITNESS: That is absolutely correct.

12 COMMISSIONER JACOBS: And is that -- I assume
13 that will be the effect of the 90-day period in
14 Pennsylvania?

15 THE WITNESS: Yes. What will happen in
16 Pennsylvania is that they will watch very closely and they
17 will keep the third-party tester on hand as kind of an
18 objective referee. And they will watch not just our
19 orders go through the pipeline, but all of the competing
20 ALECs in that market.

21 COMMISSIONER JACOBS: Good. Thank you.

22 BY MR. GOGGIN:

23 Q Ms. Lichtenberg, you mentioned that WorldCom has
24 plans to begin to compete in BellSouth's territory and in
25 particular in Florida. Can you give me an indication as .

1 to which states WorldCom plans to enter first?

2 A That is a very competitively sensitive question.
3 So, Commissioners, I would be happy to work with you on
4 that off-line. But let's just say that we are looking at
5 the BellSouth footprint and that Florida is on our list.

6 Q Wouldn't Mississippi also be on your list?

7 A I can't respond to that question.

8 Q I would like to go to Issue 80, if we might.

9 This concerns WorldCom's demand for an
10 application-to-application process to obtain preordering
11 information for orders submitted with ASRs, is that
12 correct?

13 A Yes, that is correct.

14 Q What is an ASR?

15 A An ASR carries the title access service request.
16 What it is, however, is a mechanized system for ordering
17 DS-1 loop and transport combinations as well as other
18 combinations. So it allows us to provide local services
19 to our business customers by ordering in an electronic
20 fashion. And, as I said, it is better to order
21 electronically; there are fewer errors when you do that.

22 Q Isn't an access service request the service
23 request form that was developed to enable interexchange
24 carriers like WorldCom to transmit orders for access
25 services?

1 A Yes. Years ago when there were only access
2 services and long distance services, this electronic
3 interface was developed. Because it is electronic, and
4 because it exists, and because it works WorldCom wants to
5 continue using it to order these DS-1 combinations and
6 other combinations so that we can use an automated
7 electronic system instead of the manual system that
8 BellSouth has asked us to use for this process.

9 Of course, if BellSouth were to automate the
10 ability to order these combinations via their LSR, local
11 service request system, we would look at that.
12 Unfortunately, for this sort of combination ASRs are the
13 only way that we can order this electronically.

14 Q You are aware, are you not, that BellSouth has
15 separate organizations designed to receive access service
16 requests from interexchange carriers and local service
17 requests from competing carriers, are you not?

18 A I'm not an expert in the organization of
19 BellSouth. I assume that like all companies you have a
20 number of organizations.

21 Q You mentioned before that WorldCom also has
22 separate organizations. I assume that they would have a
23 separate organization for their interexchange company?

24 A That is correct. But, of course, the ASR
25 process for issuing local requests for UNE loop and

1 transport combinations is available and used by our local
2 team to order local.

3 Q And that local team to which you refer, that
4 would be WorldCom's business markets organization?

5 A That is correct.

6 Q And WorldCom does provide service to business
7 customers in Florida, is that correct?

8 A Yes, WorldCom does.

9 Q So there are two organizations within WorldCom
10 that would actually submit ASRs, the business group and
11 the interexchange group, correct?

12 A I am not as familiar with the interexchange
13 group. But clearly that ASR process is used both for
14 ordering regular access services and for using loop plus
15 port combinations. I'm sorry, loop plus transport
16 combinations.

17 Q You mentioned before local service requests, can
18 you tell me what that is?

19 A Yes. The process that exists for a local
20 service request, and let me again go back to the
21 residential market for a moment just to explain it, is the
22 ability following the requirements of the ordering and
23 billing forum set up to help us all get to a standard on
24 how to order these services, that proposes how we can
25 electronically order local services. The process again .

1 that we are asking for here in Issue 80 is so that we can
2 continue to use the electronic process, the ASR process,
3 until BellSouth has automated the LSR process for this
4 loop and transport combination. We don't want to have to
5 go backwards to ordering things manually when we can
6 already order them electronically.

7 Q In the consumer or mass market organization in
8 which you are a manager, it is limited to residential
9 service offerings, correct?

10 A We actually serve both the residential market
11 and the small business market. At this moment we do not
12 offer local services to that small business market,
13 although we do obviously offer long distance services to
14 that market. We have recently begun now that we are
15 getting more familiar with how to enter a local market, we
16 are beginning to look at small business because we believe
17 that competition there will be very important as well to
18 the citizens of states like Florida.

19 Q But presently you don't compete for small
20 business customers in Florida?

21 A That is correct.

22 Q And the people within WorldCom who actually use
23 BellSouth's OSS systems to submit ASRs for access service,
24 or for UNEs for that matter, or LSRs for UNEs are not part
25 of your mass markets organization, isn't that correct?

1 A The people who submit orders for things like
2 DS-1 combinations are not part of my specific
3 organization. My organization will be using the automated
4 LSR process via EDI, electronic data interchange, to order
5 UNE platform services for residential customers, and we
6 will do that solely in an automated fashion.

7 Q And those automated interfaces exist today and
8 are used by other competitors, isn't that correct?

9 A I am not familiar with how other competitors are
10 ordering. I can say that we are in development, slow
11 going, for our own EDI interface for use with the
12 BellSouth systems.

13 Q But the people who report to you in your mass
14 markets group don't use BellSouth OSS systems because they
15 don't offer services in BellSouth's territory, isn't that
16 correct?

17 A That is correct.

18 Q Isn't the LSR, the local service request --

19 COMMISSIONER JACOBS: Excuse me just a second.
20 In the other states is there an EDI similar interface that
21 you use?

22 THE WITNESS: Yes. We use an EDI interface in
23 New York, Texas, and Pennsylvania, and we are developing,
24 as I said, that interface here. Because when we enter a
25 state we go full bore so that we can bring competition

1 across the state, we cannot issue orders in any fashion
2 other than an automated fashion.

3 COMMISSIONER JACOBS: And in those instances,
4 what is your interface for preordering?

5 THE WITNESS: Our preorder interface is
6 application-to-application. In the Verizon states, New
7 York and Pennsylvania, we have a fully parsed and fielded
8 preorder interface similar to what we are discussing here
9 in Issue 96A that allows us to query directly into the
10 Verizon systems, take that information and populate it
11 directly into our order. It makes reject levels quite low
12 and is very important to us.

13 COMMISSIONER JACOBS: Thank you.

14 BY MR. GOGGIN:

15 Q Ms. Lichtenberg, I expect we'll get to Issue 96A
16 in just a few moments, but I would like to spend another
17 couple of minutes on Issue 80, if I might. You are aware,
18 are you not, that the local service request form is the
19 format that is the national industry-approved format for
20 submitting requests for local service, are you not?

21 A Yes, the LSR is. And the majority of the local
22 companies are moving to make that an automated interface
23 and they are continuing to use their other automated
24 interfaces while they are working to automate their LSR
25 process for all services.

1 Q The local services, in particular DS-1 loop
2 transport combinations, those local services that WorldCom
3 wishes to order by using an access service request can be
4 ordered by using a local service request, isn't that
5 correct?

6 A Yes. We could fill out a piece of paper, we
7 could send a fax, we would hope that the fax at the other
8 end of the system is received properly, that it is
9 legible, that a human being takes that fax and types it
10 into the order entry systems; or we could send it
11 electronically via the LSR. We prefer to send it
12 electronically.

13 Q Isn't the LSR, in fact, how other ALECs who are
14 not interexchange carriers submit local service orders?

15 A I cannot speak for those interexchange carriers,
16 I'm sorry, or for those other ALECs.

17 Q Isn't the preordering information that WorldCom
18 seeks available when local service is requested through a
19 local service request using BellSouth's local OSS
20 interfaces?

21 A We can get information from that interface.
22 When we get to 96A we can talk more about whether it gives
23 us what we need in the format we need. The problem is we
24 would have to copy it by hand and go over to another
25 interface, our ASR interface, and type it in there. What

1 we want to be able to do is have an
2 application-to-application interface that takes this
3 preorder information, plops it into the currently
4 automated ASR format, sends it to BellSouth so that
5 BellSouth can give our customers what they are asking for.

6 COMMISSIONER JABER: Do you think that BellSouth
7 has the technological ability to do a complete electronic
8 preordering and give you exactly what you want via
9 electronically and that they are not doing it?

10 THE WITNESS: Absolutely. We believe, just
11 looking at the example of Verizon, for instance, that the
12 local companies which have absolutely, you know, excellent
13 staff and --

14 COMMISSIONER JABER: That is not what I asked
15 you. My question to you is do you think BellSouth has the
16 technology available to them right now and they are just
17 refusing to allow you to order electronically completely?

18 THE WITNESS: We know that they have the
19 technology available for the ASR. Because up until I
20 believe it was last week we were able to order that way.

21 BY MR. GOGGIN:

22 Q Let me see if I have understood you correctly.
23 What you have asked for, if I understand you correctly, is
24 an application-to-application interface to permit you to
25 obtain preordering information in connection with the .

1 submission of ASRs, correct?

2 A That is correct.

3 Q What you were referring to when you answered
4 Commissioner Jaber's question was the ability to submit
5 orders electronically via an ASR, isn't that correct?

6 A I was referring to the ability, I believe, that
7 the Commissioner was asking could we submit those orders
8 electronically. The other side of the house, which is the
9 preorder, there is an electronic interface and we are
10 asking that BellSouth make that interface available to us
11 so we can just put it together, or BellSouth can put it
12 together for us with the ASR.

13 Q In fact, BellSouth would have to develop a
14 system for providing an application-to-application
15 interface in order to take preordering information that
16 relates to local service requests and use that in
17 conjunction with the process that exists today for
18 submitting an order electronically through an ASR, isn't
19 that correct?

20 A What I believe that BellSouth would need to
21 do -- and, again, I am not a BellSouth systems expert --
22 would be to take the preorder interface that they have
23 today and merely route that data to us -- to their ASR
24 ordering interface so that we could put those two things
25 together.

1 Q In other words, the preordering information that
2 you are describing is the preordering information
3 available through TAG, is that correct?

4 A It is available through a number of systems, but
5 TAG is one of them, yes.

6 Q And you would like BellSouth to develop a system
7 to electronically allow the flow of that preordering
8 information in the LSR OSS systems to go into the ASR
9 ordering systems, is that correct?

10 A We would like to be able to continue to use the
11 electronic ASR ordering system rather than ordering
12 manually, and we would like to be able to take the data
13 that is resident in TAG and be able to put it into those
14 orders electronically.

15 Q Isn't the ordering interface, TAG and other
16 electronic ordering interfaces and preordering interfaces
17 provided by BellSouth for the use of local service
18 requests the processes that BellSouth expects other CLECs
19 or ALECs to follow?

20 A Again, I am not an expert on what other ALECs
21 do. WorldCom develops its own plans for how we would
22 market services and how we sell services. I am neither
23 asking the other ALECs to change their processes or
24 BellSouth to change its own sales processes. I can only
25 speak for our company.

1 Q In fact, though, what WorldCom is demanding is
2 that BellSouth develop the electronic system to make it
3 capable for you to take the preordering capability that we
4 already provide in connection with local service orders
5 and allow you to interface electronically that preordering
6 information with the electronic ordering service that we
7 already provide in connection with ASRs, isn't that
8 correct?

9 A Until such time --

10 Q Yes or no, please.

11 A Yes. But until such time as I can use an
12 electronic LSR to order loop plus transport combinations,
13 I need to be able to order it via the only electronic
14 process we have got. It is really fairly simple when
15 BellSouth is able to develop an LSR electronically for
16 loop plus transport combinations, we will certainly use
17 that electronic process. We just don't want to go
18 backwards.

19 COMMISSIONER JABER: Are they required to -- let
20 me ask the question this way. Your company was
21 forward-looking and developed a complete electronic system
22 for preordering, correct?

23 THE WITNESS: That is correct.

24 COMMISSIONER JABER: Is BellSouth required to
25 have a complete electronic system in providing ALECs

1 access to their service? Are they required to by an FCC
2 order, are they required by a Florida order?

3 THE WITNESS: I am not an attorney, so I can't
4 answer that question for you based on either the law or
5 the FCC's rulings. What I can say is that I believe that
6 this Commission wants to make sure that both your business
7 and residential customers here in the state are able to
8 get services correctly and rapidly, and that an electronic
9 system is the way to do that.

10 COMMISSIONER JABER: But how can we force a
11 company to have a complete electronic system if they are
12 able to show us that the manual is fine, too, that the
13 manual gives you access just as well?

14 THE WITNESS: I'm not -- I would like to be able
15 to answer that in a very simple fashion. Let me try. I
16 think this Commission has the power to say your systems
17 need to support competition, and that competition works
18 best if the systems are not subject to problems caused by
19 manual handling.

20 We have a great deal of information based on our
21 other market entries on what happens when orders are
22 handled manually. The level of errors, the level of
23 rejects. Perhaps that information would help the
24 Commission to make that kind of decision.

25 COMMISSIONER JABER: Would that decision be

1 better made in an OSS proceeding where we are looking at
2 the effectiveness of BellSouth's systems and how quickly
3 they can respond to ALEC concerns?

4 THE WITNESS: I think the decision needs to be
5 made in a couple of places. I think because this
6 Commission is looking right now at our interconnection
7 agreement and because we are looking -- we are ordering
8 today those DS-1 loop and transport combinations, and
9 because today we are ordering them via an ASR process
10 that, again, we have now been told will no longer be
11 accepted and we have to send manual orders, I think this
12 Commission has a chance right now to say it would not be a
13 good idea to move backwards.

14 I think in addition the Commission will gain a
15 great deal of knowledge from the third-party testing when
16 it gets underway to its fullest extent and when we see the
17 outcome of that. That is going to be sometime down the
18 road, I believe. Those interfaces, as best I can tell, are
19 still -- the work being done by the third-party tester is
20 still in process. So, I think you need to look now at this
21 interconnection agreement and that potentially that will
22 help BellSouth to make its own decision about automating
23 that LSR.

24 COMMISSIONER JACOBS: Are you aware -- you
25 indicated you were not aware of BellSouth's operation.

1 Are you aware of whether or not BellSouth has the
2 counterpart to this for their own local services?

3 THE WITNESS: No, I'm not.

4 COMMISSIONER JACOBS: Okay. If you did not have
5 an automated preordering interface, what I heard you say
6 earlier is that this would be the only region of your
7 local organization where you would not have one and so you
8 would have to have a separate group to handle the manual
9 orders?

10 THE WITNESS: Yes. And it would make us very --
11 it would make it very difficult to really come to a place
12 where a number of things have to be done to that manual
13 level.

14 COMMISSIONER JACOBS: And you indicated the
15 rejection rate. Do you have any understanding, or
16 background, or should I ask somebody else about the
17 comparison of rejection rates between a manual process and
18 an automated process?

19 THE WITNESS: I cannot speak to the ASR
20 rejection process. I can speak to what happens when an
21 LSR is handled manually. Today in Texas where we submit
22 our LSRs in an automated fashion but they are worked
23 manually by the back office personnel in Southwestern
24 Bell, we have a failure rate of giving customers what they
25 ordered, what was actually on our order of over 40 .

1 percent. And we are working very closely with the
2 Commission there to try to find out how to get all the
3 processes automated.

4 COMMISSIONER JACOBS: How does that contrast
5 with your New York results?

6 THE WITNESS: In New York, and I say this and
7 cross my fingers and toes at the same time, where the
8 process, where flow-through is much better, still not
9 where it is supposed to be, but we are seeing that upwards
10 of 90 percent of the orders are filled properly. That is
11 the customers get the correct features they ordered, the
12 correct blocking options.

13 We are currently evaluating that in Pennsylvania.
14 We did see in Pennsylvania that during the work stoppage
15 when their own personnel were on strike and during our
16 initial launch that orders that were handled manually had a
17 very high rate of errors in them. And we are going back
18 now to take a closer look at will that be better now that
19 they are back to work and they are working for higher
20 flow-through. Again, that is for the residential side of
21 the house. On the ASR side of the house, anything
22 obviously is prone to error, particularly when you are
23 sending numbers and codes and requirements.

24 COMMISSIONER JACOBS: Thank you.

25 BY MR. GOGGIN:

1 Q You just mentioned Texas and New York, and your
2 experience with SBC and Verizon and the difference between
3 electronic flow-through, if you will, and orders that are
4 subject to some manual handling, correct?

5 A That is correct.

6 Q So at least for some sorts of orders both
7 Verizon and SBC handle the orders manually, correct?

8 A Let me be very clear. They handle them manually
9 in their back office in a limited fashion in Verizon. We
10 submit every order via an electronic interface for both
11 the loop plus transport combinations that we are
12 discussing here, the DS-1 combinations, and for our UNE
13 platform orders for the residential market. We do not --
14 we are not forced to send facsimiles in order to order
15 totally manually in either of those regions.

16 Q But in partial response to Commissioner Jaber's
17 concern, evidently the FCC determined that both companies
18 were meeting their obligations under the
19 Telecommunications Act in granting 271 approval although
20 they did not have complete electronic order flow-through
21 from end-to-end, isn't that correct?

22 A In New York that is correct. In Texas the
23 discovery that the back-end work was being done manually
24 was made after the 271 approval process, because 271 in
25 Texas was approved when there was limited local

1 competition. Again that is why we recommend the
2 Pennsylvania approach.

3 Q A little earlier you mentioned that you would
4 like BellSouth to develop an electronic LSR ordering
5 process for DS-1 loop transport combos, correct?

6 A Yes. And we certainly assume that some day
7 BellSouth will do that.

8 Q In the meantime, you want BellSouth to develop
9 an application-to-application interface for preordering
10 information to be used in conjunction with the electronic
11 ASR ordering process, correct?

12 A That is correct. There is a preorder process
13 that works today with the LSRs. The LSR process, however,
14 does not include loop plus transport combinations. The
15 ASR is electronic, we would like to have two electronic
16 processes instead of having to kludge it together
17 manually.

18 Q That would give you a leg up on other ALECs who
19 may not be affiliated with an interexchange carrier and
20 don't submit such orders through the electronic ASR
21 process, isn't that correct?

22 A I do not know how other ALECs submit orders for
23 loop plus transport combinations, but I'm sure --

24 COMMISSIONER JABER: Let me ask it this way. It
25 doesn't really matter. From a logical standpoint, from a

1 common sense approach if you are able to deliver the
2 service to the new customer quickly because you have the
3 ability to do your ordering completely electronically,
4 then you have a competitive advantage over another ALEC
5 who has to rely on the manual operations.

6 THE WITNESS: That is correct. And, of course,
7 those ALECs could also just develop their system to
8 interface with the ASR once it is all automated.

9 COMMISSIONER JABER: Not that there is anything
10 wrong with that, by the way.

11 THE WITNESS: We like competitive advantages,
12 yes.

13 BY MR. GOGGIN:

14 Q Now, if BellSouth subsequent -- assume BellSouth
15 develops the interface that you want to permit
16 application-to-application processing of preordering
17 information and ordering information through the ASR
18 process, subsequently BellSouth developments an electronic
19 ordering process using LSRs for the same DS-1 loop
20 transport combination orders. What happens to that
21 application that BellSouth develops specifically for
22 WorldCom to permit it to have this
23 application-to-application interface in the ASR context?

24 A I assume it would be grandfathered. I don't
25 really know what BellSouth does with interfaces that are.

1 no longer necessary. We would evaluate both the
2 electronic LSR process and the ASR process and we would
3 choose the process that worked best for our business.
4 Again, I can't speak to what BellSouth would do.

5 Q Using the local service request process that is
6 in place today would not prevent you from offering local
7 competition in -- local service in competition with
8 BellSouth, would it?

9 A No, it would not prevent it. It would merely --
10 or it merely enhances the risk that the customer will not
11 get what he asked for and that he will then disconnect and
12 go back to the incumbent.

13 Q I would like to move on to Issue 81 if it is
14 okay with you. I'm quite sure it will be okay with
15 everyone else in the room. Issue 81 concerns WorldCom's
16 demand to have service inquiry information for all local
17 service orders, correct?

18 A That is correct.

19 Q And you would like to have this service inquiry
20 information at the preorder stage, correct?

21 A Yes, that is correct.

22 Q Now, BellSouth's retail operation doesn't have
23 electronic access to service inquiry information for all
24 orders, does it?

25 A I am not familiar, as I said previously, with .

1 the way that BellSouth's retail services operate. I do
2 know that as a new entrant into the market, I want to be
3 able to say to a customer, "I would like to sell you a
4 Chevrolet and I have one on my lot." I wouldn't like to
5 say, "I would like to sell one to you," and after you buy
6 it find out that I only have Fords, or that it will take
7 six months to get that Chevrolet. That is all we are
8 asking for here.

9 Q But sitting here today, you don't have any
10 reason to doubt Mr. Pate's testimony that BellSouth's
11 retail service reps don't have electronic access to this
12 service inquiry information in connection with residential
13 orders, for example?

14 A While I certainly wouldn't want to doubt Mr.
15 Pate, the information is in the BellSouth records. What
16 BellSouth gives to its service reps and what I give to my
17 service reps and the process I use to sell and the process
18 that BellSouth uses to sell are obviously different.

19 Q What WorldCom is asking for today, though, is in
20 a sense greater than parity, correct? Yes or no.

21 A Since I don't know your systems, I can't answer
22 yes or no. I can only say that since you have the
23 information, you BellSouth, since we are a new entrant,
24 and, of course, customers are more hesitant about dealing
25 with new entrants, our sales process that we have

1 developed is to make sure that we can give the customer
2 what he wants before he buys it from us.

3 Q Assume for the purpose of this question that
4 BellSouth's service reps do not have electronic access to
5 this information at the preordering stage. What WorldCom
6 is asking BellSouth to provide, given that assumption, if
7 it were true, would be greater than what parity would
8 require, isn't that correct?

9 A It would be greater than what BellSouth's
10 service reps apparently have. Of course, BellSouth would
11 be free to give that information to its representatives as
12 well, and therefore we would be back at parity.

13 Q I would like to move to Issue 90.

14 COMMISSIONER JACOBS: Could we take, as a
15 junction point here and take a break. We will take a
16 ten-minute break.

17 (Recess.)

18 COMMISSIONER JACOBS: Go back on the record.

19 Proceed.

20 MR. GOGGIN: Thank you, Commissioner.

21 BY MR. GOGGIN:

22 Q I wanted to move on to Issue 90. And, Ms.
23 Lichtenberg, I apologize, my cross-examination is taking a
24 little bit longer than anticipated. But I tell you what,
25 I will try not to ask the same question more than once if

1 you will try to preface your response with a yes or no
2 before you explain your answer. Does that sound
3 reasonable?

4 A Yes.

5 Q Thank you. Issue 90 concerns WorldCom's request
6 for completion notices on manual service orders, correct?

7 A Yes, it does.

8 Q And you would agree, would you not, that
9 BellSouth provides electronic notices of completion on
10 electronic orders, correct?

11 A Yes. We would like to have electronic
12 notification, however, for all orders since clearly we
13 believe it would be easier for BellSouth to issue that
14 completion out of the electronic systems that you all have
15 that receive it and send that notice to us electronically
16 rather than having to send it manually or post it to your
17 website.

18 Q Now, BellSouth provides information on the
19 status of all manual orders placed by WorldCom via its
20 CSOTS, or CSOT system, correct?

21 A Yes.

22 Q And that system looks into SOCS, S-O-C-S, in
23 order to permit an ALEC to look at the status information,
24 correct?

25 A I can't answer that one yes or no, because this

1 is the -- I didn't know that it looked into an electronic
2 system. I had assumed that. Because it does get this
3 data from an electronic system, I am assuming that it
4 could be sent back to us in that electronic format rather
5 than repost it onto a website.

6 Q CSOTS is available on the web, correct?

7 A Yes.

8 Q ALECs have to get a password to enter it, isn't
9 that correct?

10 A Yes, I understand that. I have not used that
11 system. We want to be able to receive all of our
12 completion information which, of course, is very critical
13 to us in terms of billing on the right time frame, not
14 guessing, via an electronic means, via the same means that
15 we place the order rather than having to go to a website
16 and look to see whether that information has been posted.
17 Since, as you say, it comes out of a back-end system,
18 clearly that would be the best way to provide it
19 electronically.

20 Q Doesn't the information on the status of such
21 orders include notification that an order has been
22 completed in CSOTS?

23 A Yes.

24 Q And are you aware of the fact that CSOTS is
25 updated daily?

1 A Yes, I am aware of that. However, again, CSOTS
2 has to be updated, the data is in an electronic system.
3 Clearly our position here is that it would benefit all of
4 us to have this data provided electronically. And since
5 it is already provided into the back-end billing systems
6 for BellSouth so that the BellSouth billing records can be
7 changed, we are unclear why it cannot be provided to us
8 the same way.

9 Q WorldCom -- in your testimony you stated that
10 WorldCom has problems with receiving notification of
11 completion via electronic access to CSOTS because you say
12 it is time consuming and perhaps would lead to errors due
13 to the need to enter information manually into your
14 billing system, is that correct?

15 A Yes.

16 Q Elsewhere in your testimony you note that other
17 carriers provide such notification in connection with
18 manual orders via E-mail or facsimile, is that correct?

19 A Yes. Other carriers are moving away from the
20 facsimile based process as fast as they can since we have
21 all worked together to get as much information
22 electronically as we can. Our preference, of course, is
23 via an EDI transmission which is what is done even for
24 manually completed orders by Southwestern Bell. They have
25 a system that they enter that manual completion into on .

1 their side of the house and send it back to us
2 electronically. If the completion is in an E-mail, we can
3 write a parsing routine on that E-mail that will allow us
4 to take that data and send it to our own systems.

5 As we have said before, the more manual
6 processes, the more new processes we have to teach to our
7 folks who do this work state to state, the more
8 opportunities for errors there are.

9 Q If BellSouth were to send such notifications on
10 manual orders by E-mail or fax, isn't it reasonable to
11 assume that it might be more time consuming because
12 BellSouth would have to take information from the SOCS
13 database or the CSOTS database, create an E-mail or a fax
14 and send it to WorldCom and WorldCom would then have to
15 have someone retrieve that fax or E-mail by either
16 entering a computer and going into the E-mail application
17 as opposed to the web, for example, or going to a fax
18 machine?

19 A Yes. That is why we suggest that BellSouth send
20 us electronic notification directly from the back-end
21 billing systems just as they would for an automated order.

22 Q Wouldn't the manual entry of information from an
23 E-mail or a facsimile into WorldCom's billing systems
24 create precisely the same risk that you identified of
25 manual errors that entering this information manually from

1 CSOTS would create?

2 A Not necessarily. As I said, from an E-mail you
3 could write a routine that would extract the proper
4 information. You would create an E-mail form, if you
5 will. And the difference in reading a fax that I can have
6 directly in front of me and reading a website on my
7 computer, while it appears to be small, it is easier to
8 double-check, I believe, if you read it from a piece of
9 paper in front of you. Again, we are encouraging all
10 operating companies to move to an EDI completion
11 transaction, as Verizon and SBC are using right now.

12 Q You mentioned before that WorldCom has the
13 capability to take an E-mail notification and parse it in
14 a way that would allow the information to flow-through in
15 an automated fashion to your billing system, is that
16 correct?

17 A Yes, I believe we could do that.

18 Q But you also mentioned that you have not been in
19 CSOTs, correct?

20 A Personally I have not be in CSOTs. Our folks
21 who do look at that data have been into the system.

22 Q Is there any reason you can identify sitting
23 here today why WorldCom could not also develop the means
24 electronically to transfer the information that is
25 available electronically through the CSOT system into its

1 billing system to update its billing system automatically?

2 A I can't answer that question. However, since
3 the data starts electronic on the BellSouth side, my
4 assumption is that there is also no reason that BellSouth
5 couldn't send it to us electronically.

6 Q Do you believe that it is more obtrusive to
7 retrieve information from a bookmarked website than it
8 would be to retrieve information from an E-mail program?

9 A I can't answer that question.

10 COMMISSIONER JABER: Help me understand the CSOT
11 system, which is on the website, correct?

12 THE WITNESS: (Indicating yes.)

13 COMMISSIONER JABER: Does it give you the
14 information you need?

15 THE WITNESS: It gives us the completion. Our
16 concern is that we would like this data to flow back to us
17 rather than being posted on the website. We would like it
18 to flow to us via the interfaces. The information is
19 there. The information is there in electronic form. It
20 got there from the electronic completion notification and
21 the back-end systems. We would like it to flow to us so
22 we don't have to create still another process.

23 COMMISSIONER JABER: If it is the information
24 you need and it is on a readily accessible website, can
25 the company download that information?

1 THE WITNESS: We could try to do that. I can't
2 answer your question in full since I would have to talk to
3 our development teams.

4 COMMISSIONER JABER: But from a technology
5 standpoint?

6 THE WITNESS: From a technology standpoint,
7 assuming that website is available, there is a regular
8 time and schedule and there is an ability to use a
9 computer to create an application-to-application
10 interface, if you will, to download that data, yes, I
11 assume it would be possible.

12 COMMISSIONER JABER: And in plain English, that
13 means assuming that the format used on the CSOT system is
14 compatible with the format that you need, it can be done
15 from a technology standpoint?

16 THE WITNESS: Yes, that is correct.

17 COMMISSIONER JABER: Thank you.

18 BY MR. GOGGIN:

19 Q Moving on to Issue 91. This concerns firm order
20 confirmation intervals, correct?

21 A That is correct.

22 Q BellSouth proposes to incorporate the intervals
23 set forth in the BellSouth products and services interval
24 guide for firm order confirmation intervals?

25 A Yes.

1 Q And WorldCom has proposed special intervals for
2 DS-1 and DS-3 service requests and DS-0 and DS-1 and DS-3
3 loops, correct?

4 A Yes. And what we have specifically proposed is
5 the fact that we want this firm order confirmation to be a
6 confirmation that the facilities are available. We are
7 more concerned with the availability of the facilities so
8 that we can go back to the customer and say, yes, sir,
9 this is the day we are installing than that interval.
10 While we feel that the interval is long enough to receive
11 this confirmation on the BellSouth side and pass it to us,
12 it is the need to have this data confirmed that those
13 facilities are available that is most critical to us.

14 Q I presume with the exception of the five service
15 requests we identified that the intervals from the
16 BellSouth products and services interval guide for all
17 remaining services are acceptable to WorldCom, correct?

18 A I do have a concern about the interval for the
19 UNE platform which I believe is being worked on because of
20 the performance matrix. The current BellSouth firm order
21 commitment for a UNE platform order, that is a residential
22 migration order, I have the document here, is two days.
23 Obviously we have asked in the performance matrix work
24 being done in the various states that we see this firm
25 order commitment in four hours or less. And I believe the

1 recommendation is 95 percent within three hours.

2 Q In any event, though, you have not raised the
3 issue of the interval for firm order confirmation in
4 connection with the UNE-P in this docket, correct?

5 A That is correct. We presume that the testing
6 and the work being done in the performance measures groups
7 will make sure that ALECs are offered an interval that
8 lets us deal with our customers properly.

9 Q Are you talking about the generic OSS docket in
10 this Commission, this Commission?

11 A I cannot tell you specifically which docket. I
12 know that there are performance measurement work being
13 done throughout this region.

14 Q Have you proposed in the performance matrix
15 docket here the same intervals for these five services
16 that you have proposed here in this arbitration?

17 A I don't know the answer to that.

18 Q To your knowledge are the intervals from the
19 BellSouth products and services interval guide something
20 to which BellSouth refers in connection with the provision
21 of services to other ALECs?

22 A Yes.

23 Q But WorldCom would like something more?

24 A Yes. WorldCom would like to make these
25 intervals better, have the commitment be firm, and then, .

1 of course, have that as it would be available to all other
2 ALECs so that they can take the benefit of it, as well.

3 Q With regard, for example, to the interval
4 proposed for firm order confirmation in connection with
5 DS-1 service orders, WorldCom has proposed that interval
6 be two days, isn't that correct?

7 A Yes, that is correct.

8 Q And in its proposed interval WorldCom would make
9 no allowance for the volume of orders that might be
10 received simultaneously, isn't that correct?

11 A That is correct.

12 Q In other words, if WorldCom were to submit five
13 to 10,000 orders per day for DS-1, which is highly
14 unlikely, I agree, that would be treated no differently
15 for purposes of this interval as if WorldCom had submitted
16 one order, correct?

17 A Yes. However, if WorldCom were going to submit
18 hundreds of orders on a daily basis for DS-1s, which, of
19 course, we would be pleased to do, we would work with
20 BellSouth in advance to make sure that you would be able
21 to get that commitment back to us. I don't think that
22 BellSouth need worry about that one.

23 Q There is no provision, however, in your proposal
24 for that sort of negotiation or leeway to be given in the
25 event that upon market entry WorldCom meets with such

1 fabulous success?

2 A No. But we are always open to business
3 discussions, particularly when it would harm both of us if
4 we couldn't come up with an answer on how to deal with
5 something like that.

6 Q Does it strike you as unreasonable that
7 BellSouth might ask to insert provisions in the agreement
8 that would take the eventuality of such high volume
9 requests into account?

10 A I am not the negotiator, but certainly I could
11 recommend that we look at how to cushion that unlikely
12 event from happening or cushion your response to it. What
13 we really need to have, though, is the firm order
14 confirmation being a firm order confirmation. And we
15 could certainly send this back to our negotiating teams to
16 see if they could work something out on that.

17 Q The BellSouth products services intervals guide
18 does not provide that BellSouth will check on the
19 availability of facilities prior to providing a firm order
20 confirmation, isn't that correct?

21 A That is correct. That is why we have brought
22 this issue to arbitration.

23 Q And WorldCom has only raised this issue in
24 connection with the five services that we talked about
25 earlier, correct?

1 A Yes. We believe that BellSouth will be able to
2 provide residential customers with services on the day
3 that you commit to provide it in the firm order
4 confirmation because the majority of those services are
5 readily available. And we see -- we have less of a worry
6 about that. This is a problem that we see with our
7 business customers because, as I said in my original
8 statement, they do a lot of advanced planning. So we
9 would like to get the firm order confirmation to be firm.

10 Q Just to be clear. WorldCom would agree, then,
11 that for all other services covered under the BellSouth
12 products services intervals guide, apart from the five
13 that we just discussed, that BellSouth -- that facilities
14 availability will not have been completed prior to the
15 return of the firm order confirmation, correct?

16 A We would agree with that.

17 Q But BellSouth has proposed intervals for these
18 five items, is that correct?

19 A Yes.

20 Q WorldCom just disagrees with the intervals that
21 BellSouth has proposed?

22 A WorldCom, as I said before, is most concerned
23 with needing to have the firm order confirmation to be
24 firm. We will, should BellSouth wish to discuss it with
25 us in the negotiations, look at negotiating the time

1 frames should we be able to get the critical issue to us,
2 which is the firmness of the commitment.

3 Q The term FOC refers to a firm order
4 confirmation, does it not?

5 A Yes.

6 Q I just wanted to clarify. I would like to move
7 to Issue 96A, which you seemed eager to reach earlier.

8 A 96A is a very important issue for us.

9 Q This concerns WorldCom's demand for parsed
10 customer service records, is that correct?

11 A Yes.

12 Q You are aware that BellSouth currently provides
13 electronic access to customer service records, correct?

14 A Yes. Unfortunately, what BellSouth provides is
15 only parsing at the line level. The difference between
16 that is that the reason we want the CSR information is so
17 that we may take it from the CSR and place it directly
18 into the LSR. That means that the parsing must be at the
19 field level. And that all the business rules and the EDI
20 rules are identical from what we get on the preorder side
21 and what we need on the order side. That is what our
22 proposal is in terms of asking for a fielded parsed CSR.

23 Q The information that is provided electronically
24 from the CSRs, it is provided electronically to ALECs, is
25 provided in substantially the same time and manner and .

1 parsed to the same level as the information that is
2 provided to BellSouth's retail operation, isn't that
3 correct?

4 A Again, I am not familiar with BellSouth's retail
5 operation. The important part, though, is that the data
6 that needs to go into the LSR, the data that makes the
7 order go through the ordering systems without being
8 rejected needs to be populated from the CSR.

9 That is why in the preorder transaction if I
10 need to have fields that, for instance, show me
11 directionals, like Northwest 12th, that that northwest be
12 in a separate field so that, to use a term of art, we can
13 plop it into the right field in the order. The LSR, as I
14 understand it, that I use is not the LSR that the
15 BellSouth retail rep uses.

16 COMMISSIONER JACOBS: What is the difference?

17 THE WITNESS: I can't specifically answer that
18 question for you, Commissioner. The LSR that we use goes
19 through the interface that has been established based on
20 the rules of the ordering and billing forum and goes into
21 an EDI translator in the BellSouth systems and then into
22 the BellSouth back-end systems.

23 It is my understanding from dealing with a number
24 of local companies that the retail reps are actually going
25 right into the back-end system and populating the data.

1 The other point, of course, is that retail reps are not
2 entering as many orders obviously as we would since the
3 majority of customers are already with the local company.

4 COMMISSIONER JACOBS: Thank you.

5 BY MR. GOGGIN:

6 Q I am distressed at your assumption that
7 BellSouth would not get its share of the growth in the
8 telecom market in terms of new customers, but I will
9 accept your assumption for purposes of today's hearing.

10 Did you participate in SBC's 271 proceeding?

11 A Yes, I did.

12 Q SBC doesn't provide CSR information that is
13 parsed at the level that WorldCom has requested here, does
14 it?

15 A Yes. Today the information, the fully parsed
16 CSR will be provided by SBC, and pardon me if my date is
17 wrong, I believe it is March 2001 as part of the
18 SBC/Ameritech merger agreements.

19 Q But at the time that the 271 application was
20 approved, SBC was providing CSR information in an unparsed
21 format, isn't that correct?

22 A Yes, in WorldCom's estimation. Although there
23 were some ex partes filed by a company called Sage
24 Telecom, and by some other company whose name I have
25 forgotten, I apologize, that said that this information .

1 could be taken from the CSR and directly populated into
2 the LSR. The 271 decision of whether that is possible
3 here, I am assuming we will learn more about from the
4 excellent third-party testing effort that is underway,
5 since that is one of the things it will examine.

6 We are requesting this information because of
7 its -- and the parsed and fielded CSR because of the
8 criticality of this data in providing service to
9 residential customers. Every order that rejects because
10 the data that we get from the CSR is incorrectly
11 transcribed into the LSR is a customer whose service is
12 delayed. That is why we asked for this.

13 Q To your knowledge, did the FCC make any finding
14 as to whether providing information in the manner that SBC
15 was providing it at the time they submitted their petition
16 was not in conformance with SBC's requirements under the
17 Telecom Act?

18 A I am not familiar enough with the findings to
19 answer that question. I would note, however, that the
20 BellSouth change control team has announced, I think it is
21 about three days ago, that they are beginning to work with
22 the ALECs to provide this parsed CSR, parsed and fielded,
23 and that they have put a team together to begin to look at
24 it. I, therefore, am curious why we can't just agree that
25 a fully parsed and fielded CSR is necessary.

1 Q Would you agree that the change control process
2 would be the proper avenue for pursuing such information?

3 A I believe --

4 Q Yes or no.

5 A Yes. However, the change control process is the
6 process that sets out the order and the time frames in
7 which changes are made to the operational support systems
8 interfaces. It is very important that change control work
9 well and, again, that is another thing being studied in
10 the third-party testing. We believe that this Commission
11 can help us with that process because by helping us to add
12 this piece as a subject of this arbitration to our
13 interconnection agreement it will help to give impetus to
14 BellSouth to provide this very necessary feature that will
15 make it possible for consumers to get their service when
16 and how they need it.

17 Q You mentioned in response to a number of
18 questions that this issue is very important to WorldCom,
19 correct?

20 A Yes, it is.

21 Q And I believe you said it goes to the
22 criticality of providing service to residential
23 subscribers, would that be accurate?

24 A Yes, that is correct.

25 Q And WorldCom is currently engaged or has

1 recently completed arbitrations regarding an
2 interconnection agreement with BellSouth in a number of
3 states, isn't that correct?

4 A We have arbitrated a number of contracts, yes.

5 Q And, in fact, in all of the states in which
6 WorldCom and BellSouth are engaged in arbitration over
7 this new interconnection agreement, Florida is the only
8 state in which this issue has been raised, isn't it?

9 A Yes. We are far enough along now in our
10 understanding of the states we want to enter with local
11 service, the requirements that we have for entering that
12 this issue has become extremely even more important and we
13 have added it here. We, of course, trust that when
14 BellSouth develops a system it will be available in all
15 the BellSouth states, since BellSouth has stated on
16 numerous occasions that its systems are the same state to
17 state.

18 Q If the Commission were to order BellSouth to
19 develop the means to provide parsing below the line level
20 in the manner that WorldCom requests, and the method for
21 doing this for WorldCom differed from the method that was
22 ultimately decided to be optimal by the other ALECs in
23 connection with the change control process, what would
24 happen to the work BellSouth did specifically and only for
25 WorldCom?

1 A That is an excellent question. We are asking
2 that the Commission require BellSouth to provide the fully
3 parsed and fielded CSR in a rapid time frame. We would
4 then work with BellSouth and the other ALECs as we are
5 doing today in the change control process to make sure
6 that a single version of the fielded parsed CSR is
7 available to everyone, both current entrants and new
8 entrants.

9 Q Doesn't the arbitration of this issue here
10 actually subvert the change control process?

11 A No. I think the arbitration of this issue here
12 allows this Commission to state its understanding of the
13 importance of the change control process and the
14 importance of getting issues that are keyed up in that
15 process being worked through as rapidly as possible when
16 they are absolutely critical for local competition.

17 Q If the rest of the ALEC industry disagreed with
18 WorldCom as to either the criticality of receiving
19 information in this manner or the manner in which the
20 information should be received, in short, that it is not a
21 big -- as big a priority for them as perhaps some other
22 things that are underway in the change control process,
23 BellSouth would still have to do this work if ordered to
24 do so as part of this arbitration, correct?

25 A Yes. However, WorldCom has worked very closely

1 with the other ALECs throughout the country to come up
2 with a single standard for the fielded parsed CSR and that
3 is the one that is the subject of the change control
4 request today, that is what we are asking for in this
5 arbitration, and WorldCom is working with the other ALECs
6 on a special subcommittee to fully define and to work with
7 BellSouth to provide the fully fielded and parsed CSR. We
8 are merely asking this Commission to establish the
9 importance by agreeing with us in this arbitration that we
10 need it.

11 Q It raises a couple of different questions, the
12 first of which is do I understand you to say that WorldCom
13 comes here today in this arbitration and is authorized to
14 speak on behalf of the entire ALEC industry in Florida?

15 A No. I merely stated that we are working jointly
16 in the change control with other ALECs. And that we,
17 based on our work in other jurisdictions, believe that
18 these same fielded parsed CSR rules that were implemented
19 in Verizon and will be implemented under the merger
20 conditions in SBC will also be the terms that those ALECs
21 here would want to support.

22 MR. GOGGIN: I have no further questions. Thank
23 you, Ms. Lichtenberg.

24 MS. CHRISTENSEN: Commissioners, staff has a few
25 questions for this witness.

1 COMMISSIONER JACOBS: You may proceed.

2 CROSS EXAMINATION

3 BY MS. CHRISTENSEN:

4 Q Ms. Linchberg (sic), excuse me if I
5 mispronounced your name, I'm sorry.

6 A No problem.

7 Q When Mr. Goggin was asking you about MCI
8 WorldCom's position regarding a high volume of orders
9 being placed for DS-1 services and the time intervals that
10 MCI WorldCom is proposing under Issue 91 --

11 A Yes.

12 Q -- am I correct in assuming that WorldCom's
13 position also would go to the other four services and
14 those time intervals if the same high volume situation
15 were to occur?

16 A Yes, that is correct.

17 Q And my other question is regarding an earlier
18 comment that you made that WorldCom would be willing to
19 parse a BellSouth E-mail for completion information, and
20 the question is would WorldCom then be willing to parse
21 the CSR information, and if not, why not?

22 A The answer is no. And the why not is that when
23 I said parse in terms of an E-mail notification, we would
24 set up the fields in that notification so that coming to
25 us it was fielded and parsed already so that we could just

1 dump it into the systems. The purpose of the request in
2 the change control process for the parsed fielded CSR is
3 because we have studied all the documentation currently
4 available on the CSR rules here, and our systems folks
5 have said that the information necessary to break what is
6 referred to as the BLOB CSR, that is B-L-O-B, a CSR with
7 all the information lumped together, that the CSR parsing
8 rules are not available.

9 The fact that the change control process has
10 agreed to establish this subcommittee speaks to the fact
11 that the need for BellSouth to parse is great. Does that
12 answer your question?

13 Q I believe so, thank you.

14 MS. CHRISTENSEN: Staff has no further
15 questions.

16 COMMISSIONER JACOBS: Redirect.

17 REDIRECT EXAMINATION

18 BY MS. McNULTY:

19 Q Ms. Lichtenberg, could you please provide an
20 example of what you mean by parsing at the line level
21 versus the fielded level?

22 A Yes. When I need to send a customer a request,
23 a local service request for a customer, what is most
24 important is to get what is called the service address.
25 That is specifically where your telephone is installed .

1 based on the records of the telephone company, of
2 BellSouth. That is, by the way, not necessarily the same
3 as your billing address, your directory listing address,
4 or the address where you think you live. The data comes
5 to us in a stream, to use an address, 9215 St. Andrews
6 Place, College Park Woods, College Park.

7 The order requires that that data go into
8 specific fields. And what we need to have business rules
9 that match on and what the fielding means is that 9215 has
10 to be the block of data that we need rules for our
11 computers to know how many characters, how many bytes of
12 data we need to pick up and take and to put in a matching
13 sized field on the order.

14 If the preorder form, the CSR, for instance, has
15 been filled out in a three-form fashion as happens because
16 it is -- they are old systems, then we need to establish a
17 set of business rules to explain what those fields are and
18 then to say when I take that data over to the order form,
19 the form that may because some addresses are four
20 characters and some addresses are five characters, that
21 there is a rule that says it will always be left justified
22 or it will always be right justified. And that that is
23 the level of parsing that allows us to really send these
24 orders through without errors.

25 What we find is that very little things, because

1 we are talking about computers and they are very literal,
2 cause orders to reject. For instance, if the CSR were to
3 show A-V-E-period, as an abbreviation for avenue, but the
4 LSR only wants A-V, the fully parsed and fielded CSR which
5 allows those two fields to sync up will allow us to make
6 sure that if you live on Jones Avenue you are going to get
7 service.

8 MS. McNULTY: Thank you, Ms. Lichtenberg.
9 WorldCom has no further questions.

10 COMMISSIONER JACOBS: There were no exhibits,
11 right, for Ms. Lichtenfield. Lichtenberg, I'm sorry.

12 MS. McNULTY: That is correct.

13 COMMISSIONER JACOBS: Very well. You are
14 excused. Thank you.

15 MR. MELSON: Commissioner Jacobs, I lost track
16 at some point during the exhibits. Have all 13 exhibits
17 been admitted at this point or are there some still just
18 identified?

19 COMMISSIONER JACOBS: No, I have all 13
20 admitted.

21 MR. MELSON: Thank you.

22 COMMISSIONER JACOBS: Well, probably it would be
23 best to go ahead and take a lunch break now. We will
24 return at 1:00. We have a scheduling issue that we need
25 to address that will probably mean we need to complete at

1 4:30 today. And what we can do is just begin at 9:00
2 o'clock in the morning and hopefully make up for the time
3 we lose this afternoon. Very well. We will recess now
4 and return at 1:00 o'clock.

5 (Lunch recess.)

6 COMMISSIONER JACOBS: Commissioner Jaber is
7 completing a conference call, she will be in shortly. So
8 we can proceed with the next witness.

9 MR. MELSON: WorldCom calls Michael Messina.

10 - - - - -

11 MICHAEL MESSINA

12 was called as a witness on behalf of MCI WorldCom and,
13 having been duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MR. MELSON:

16 Q Mr. Messina, would you state your name and
17 business address for the record, please.

18 A My name is Michael Messina. I work at 22001
19 Loudoun County Parkway, Ashburn, Virginia.

20 Q By whom are you employed and in what capacity?

21 A I am employed by WorldCom as a Senior Staff
22 Specialist in the Network Interconnect Management Group.

23 Q And have you prepared prefiled direct testimony
24 dated August 17th, 2000, consisting of 51 pages?

25 A Yes.

1 Q Do you have any changes or corrections to that
2 testimony?

3 A Yes, one change. I noticed that my business
4 address is an old address. It should be changed to the
5 address I just gave.

6 Q All right. And with that change, if I were to
7 ask you the same questions today that are in that
8 testimony would your answers be the same?

9 A They would.

10 MR. MELSON: I would ask that Mr. Messina's
11 direct testimony be inserted into the record as though
12 read.

13 COMMISSIONER JACOBS: Without objection, show it
14 inserted in the record as though read.

15 BY MR. MELSON:

16 Q Mr. Messina, did you also file rebuttal
17 testimony dated September 7th, 2000, consisting of 18
18 pages?

19 A Yes, I did.

20 Q Any changes or corrections to the rebuttal
21 testimony?

22 A No, not at this time.

23 Q And, again, if I were to ask you the same
24 questions today, would your answers be the same?

25 A Yes, they would.

1 MR. MELSON: Mr. Chairman, I will ask that the
2 rebuttal testimony be inserted into the record as though
3 read.

4 COMMISSIONER JACOBS: Without objection, show
5 the rebuttal testimony entered as though read.

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1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Michael S. Messina. My work address is 8521 Leesburg Pike,
3 Vienna, Virginia 22182.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am employed by WorldCom, Inc. ("WorldCom"), formerly known as MCI
6 WorldCom, Inc., as a Senior Staff Specialist in WorldCom's Network
7 Interconnect Management organization.

8 **Q. FOR HOW LONG HAS WORLDCOM EMPLOYED YOU?**

9 A. I have been employed by WorldCom (including its predecessor, MCI
10 Communications Corporation) since November 1995.

11 **Q. WHAT ARE YOUR RESPONSIBILITIES WITH WORLDCOM?**

12 A. Until July 2000, I was employed as a Senior Staff Specialist in WorldCom's
13 Collocation Planning organization. My responsibilities included managing
14 special collocation projects, such as interconnecting the collocations of
15 WorldCom's legacy companies in ILEC central offices as well as planning the
16 future space requirements for collocations. In July, 2000 I joined WorldCom's
17 Network Interconnect Management organization. My current responsibilities
18 include managing augments to WorldCom's interconnect networks with the
19 ILECs and ALECs in the East region.

20 **Q. PLEASE STATE YOUR EDUCATIONAL AND PROFESSIONAL**
21 **BACKGROUND.**

22 A. Prior to joining WorldCom, I was employed by NYNEX Corporation for twenty-
23 nine years. I held various positions and assignments in its Network Services and

1
 2 **Q. WHAT LANGUAGE HAVE THE PARTIES PROPOSED CONCERNING**
 3 **PROVISION OF OPERATOR SERVICES AND DIRECTORY**
 4 **ASSISTANCE AS UNES?**

5 A. The parties have proposed the following language in Attachment 3 (with disputed
 6 language proposed by WorldCom in bold):

7 2.8 In addition to the unbundled Network Elements set forth
 8 above, BellSouth shall provide to MCI the following Network
 9 Elements, in accordance with FCC Rules, that are described in
 10 Attachment 9 of this Agreement:

11 **Operator Services (subject to FCC Rules)**
 12 ...
 13 **Directory Assistance (subject to FCC Rules)**

14
 15
 16 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

17 A. WorldCom's position is that BellSouth must provide OS/DA as a UNE until it
 18 complies with the FCC's *Rule 319 Remand Order*. (*Third Report and Order*,
 19 *FCC 99-238, In the Matter of Implementation of the Local Competition*
 20 *Provisions of the Telecommunications Act of 1996*, CC Docket 96-98, Released
 21 November 5, 1999.) Because BellSouth has not yet complied with the order, it
 22 must provide OS/DA as a UNE.

23 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

24 A. BellSouth contends that because it offers selective routing, it is not required to
 25 provide OS/DA as a UNE.

26 **Q. WHAT IS THE BASIS FOR WORDLCOM'S POSITION?**

27 A. The FCC has concluded that "[i]n instances where the requesting carrier obtains
 28 the unbundled switching element from the incumbent, the lack of customized

1 routing effectively precludes requesting carriers from using alternative OS/DA
 2 providers and, consequently, would materially diminish the requesting carrier's
 3 ability to provide the services it seeks to offer." *Rule 319 Remand Order*, ¶ 463.
 4 ILECs must provide OS/DA as a UNE "to the extent they have not
 5 accommodated technologies used for customized routing."

6 **Q. HAVE THE PARTIES MADE PROGRESS IN RESOLVING THIS ISSUE?**

7 A. Yes. WorldCom has tested an OS/DA method proposed by BellSouth that
 8 involves routing OS/DA traffic to BellSouth's access tandem (in most cases) and
 9 then to WorldCom's OS/DA platform using a compatible signaling protocol.
 10 WorldCom still needs to conduct a trial with live customers, and still needs to
 11 reach an agreement with BellSouth on pricing, but the preliminary results appear
 12 to be promising.

13 Accordingly, WorldCom would be willing to agree to language providing
 14 that BellSouth is not required to provide OS/DA as a UNE so long as it is able to
 15 route OS/DA traffic successfully to WorldCom's OS/DA platform using a
 16 compatible signaling protocol and without requiring WorldCom to install
 17 additional trunking.

18 **ISSUE 8**

19 *Should UNE specifications include non-industry standard,*
 20 *BellSouth proprietary specifications? (Attachment 3,*
 21 *Appendix 1; Attachment 3, Sections 4.3-4.14.)*
 22

23 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
 24 **UNE SPECIFICATIONS?**

1 A. WorldCom has proposed, in Appendix 1 to Attachment 3, industry standard UNE
2 specifications.

3 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

4 A. WorldCom's position is that BellSouth proprietary specifications should not be
5 included.

6 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

7 A. BellSouth takes the opposite view, contending that certain BellSouth proprietary
8 specifications should be included.

9 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION?**

10 A. WorldCom has proposed industry standard UNE specifications for loops in
11 Appendix 1 to Attachment 3. BellSouth seeks to add to those specifications
12 BellSouth TR73600, which WorldCom opposes because it is a BellSouth
13 proprietary specification. BellSouth's proposed "specification" in fact includes
14 many provisions that are contractual in nature, stating the terms and conditions
15 on which BellSouth will offer described services. The document thus goes much
16 further than providing loop specifications. BellSouth evidently hopes to use its
17 proposed document as a Trojan horse, subjecting WorldCom to terms and
18 conditions that are not included in the body of the interconnection agreement.
19 For example, in Attachment 3, Section 4.6.1, the parties have agreed to language
20 describing SL1, non-designed loops. At page 7, the BellSouth proposed
21 specifications state that a 2-wire, non-designed loop "is only available via a 2-
22 wire, loop-start interface," a significant restriction not found in Section 4.6.1. As
23 another example, Attachment 5, Section 2.1.4 provides WorldCom with access

1 (through a BellSouth certified vendor) to BellSouth's main distribution frame
 2 ("MDF") for loops that BellSouth normally terminates on an MDF. The
 3 BellSouth specifications state at page 5, however, that "[t]he interface at the
 4 MDF is not accessible by the CLEC."

5 The additional requirements BellSouth is seeking to include would
 6 impose burdensome restrictions on WorldCom and would inject inconsistencies
 7 that could well lead to contract disputes. Loop specifications should provide
 8 parameters that the parties can rely on when designing their networks.
 9 BellSouth's proposal has much more self-serving objectives and should be
 10 rejected.

11 **ISSUE 11**

12 *Should MCIW access the feeder distribution interface*
 13 *directly or should BellSouth be permitted to introduce an*
 14 *intermediate demarcation device? (Attachment 3, Sections*
 15 *4.5.1.1.1, 4.5.1.2.3.)*

17 **Q. WHAT LANGUAGE HAVE THE PARTIES PROPOSED CONCERNING**
 18 **ACCESS TO THE FEEDER DISTRIBUTION INTERFACE?**

19 A. The parties have proposed the following language in Attachment 3 (with agreed
 20 upon language in normal case, BellSouth's proposed language in italics and
 21 WorldCom's proposed language in bold):

22 4.5.1.1.1 The Loop Feeder provides connectivity between (1) a
 23 Feeder Distribution Interface (FDI) associated with Loop
 24 Distribution and a termination point appropriate for the media in a
 25 Central Office, or (2) a Loop Concentrator/Multiplexer provided
 26 in a remote terminal and a termination point appropriate for the
 27 media in a Central Office. **BellSouth shall provide a**
 28 **demarcation point for the FDI that will provide MCIW access**
 29 **to the FDI and the ability to connect MCIW's loop distribution**
 30 **element to the FDI.** *BellSouth shall provide MCIW physical*

1 *access to the FDI, and the right to connect, the Loop Feeder to the*
 2 *FDI.*

3
 4 4.5.1.2.3 BellSouth shall identify technically feasible
 5 Demarcation Point(s) to the FDI that will allow MCIIm to select
 6 where it accesses the FDI, and to provide the ability to connect
 7 MCIIm's or a third Party's equipment or facilities to the FDI.
 8 **BellSouth shall not introduce any intermediate devices for the**
 9 **purpose of MCIIm's connection to the FDI, unless agreed to by**
 10 **MCIIm.**

11
 12 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

13 A. WorldCom's position is that WorldCom should have direct access to the FDI,
 14 without having to connect to unneeded intermediate devices.

15 **Q. WHAT IS BELL SOUTH'S POSITION ON THIS ISSUE?**

16 A. BellSouth refuses to provide direct access to the FDI. Instead, BellSouth would
 17 require WorldCom to obtain access through an intermediate demarcation point.

18 **Q. WHY DOES WORLDCOM WANT DIRECT ACCESS TO THE FDI?**

19 A. Obtaining access to the FDI directly is the most efficient and economical method
 20 of access, and is technically feasible. Obtaining access through an intermediate
 21 demarcation device involves the additional expense of the device itself, as well as
 22 the cost of a BellSouth dispatch to perform the cross connection. In addition, the
 23 intermediate demarcation device creates an additional failure point and may
 24 create unnecessary right of way, zoning, and power supply problems that would
 25 not occur (or would be minimized) with direct access. These problems
 26 associated with the intermediate demarcation device would arise only for
 27 ALECs, not for BellSouth.

1 **Q. HAS THE FCC SPOKEN TO THE KIND OF ACCESS AN ILEC LIKE**
2 **BELLSOUTH MUST PROVIDE TO UNES, INCLUDING SUBLOOP**
3 **ELEMENTS?**

4 A. Yes. The FCC's *Rule 319 Remand Order* requires subloop unbundling and
5 specifically identified the FDI as a point of access. *Rule 319 Remand Order*, ¶
6 206. FCC rules provide that the FDI is an "accessible terminal," meaning that it
7 is a point "where technicians can access the wire or fiber within the cable without
8 removing a splice case to reach the wire or fiber within." 47 C.F.R. § 51.319
9 (a)(2). Thus, the FDI can be accessed directly. The quality of the access
10 BellSouth provides to WorldCom must be at least equal in quality to what
11 BellSouth provides itself, and BellSouth must provide access using the method
12 WorldCom requests (i.e., direct access without intermediate devices) unless the
13 requested method is not technically feasible. 47 C.F.R. §§ 51.311(b), 51.321(a).
14 BellSouth bears the burden of proving that providing at least equal quality access
15 or using the requested method of access are not technically feasible. 47 C.F.R.
16 §§ 51.311(b), 51.321(d).

17 **Q. BELLSOUTH CLAIMS THAT INTERMEDIATE DEMARCATION**
18 **DEVICES ARE NECESSARY FOR NETWORK SECURITY. IS THIS**
19 **POINT VALID?**

20 A. No. The FCC's definition of "technically feasible" makes clear that requested
21 methods of access to a UNE at a point in the ILEC's network "shall be deemed
22 technically feasible absent technical or operational concerns that prevent the
23 fulfillment of the request." The definition goes on to state that an ILEC claiming

1 it cannot accommodate such a request based on adverse network reliability
 2 impacts “must prove to the state commission by clear and convincing evidence
 3 that such . . . methods would result in specific and significant adverse network
 4 reliability impacts.” 47 C.F.R. § 51.5. BellSouth can provide direct access to the
 5 FDI without creating any significant network reliability concerns, so BellSouth
 6 cannot meet its burden on this issue.

7 **ISSUE 15**

8
 9 *When an MCIW customer served via the UNE-platform*
 10 *makes a directory assistance or operator call, must the*
 11 *ANI-II digits be transmitted to MCIW via Feature Group*
 12 *D signaling from the point of origination? (Attachment 3,*
 13 *Section 7.2.1.16.)*
 14

15 **Q. WHAT IS THE LANGUAGE IN DISPUTE?**

16
 17 A. The parties are in agreement on the following language from Attachment 3,
 18 except for the bold language proposed by WorldCom:

19 7.2.1.16 Subject to section 7.1.2, above, BellSouth shall assign each
 20 MCIw subscriber line the class of services designated by MCIw using
 21 line class codes and shall route operator calls from MCIw subscribers as
 22 directed by MCIw at MCIw's option. For example, BellSouth may
 23 translate 0- and 0+ intraLATA traffic, and route the call through
 24 appropriate trunks to an MCIw Operator Services Position System
 25 (OSPS). **Calls from Local Switching must pass the ANI-II digits**
 26 **unchanged.**
 27

28 **Q. WHEN A WORLDCOM CUSTOMER SERVED VIA THE UNBUNDLED**
 29 **NETWORK ELEMENT-PLATFORM MAKES A DIRECTORY**
 30 **ASSISTANCE OR OPERATOR CALL, MUST THE ANI-II DIGITS BE**
 31 **TRANSMITTED TO WORLDCOM?**

32 A. Yes, this information will alert WorldCom as to the number of the calling party
 33 and of any calling restrictions on the line. WorldCom has proposed that the

1 Agreement provide in this respect "Calls from Local Switching must pass the
2 ANI-II digits unchanged."

3 **Q. HAVE THE PARTIES MADE PROGRESS ON THIS ISSUE?**

4
5 A. Yes. As I stated with respect to Issue 5, the preliminary results from our testing
6 of BellSouth's proposed solution to this problem appears promising, although we
7 still need to do testing with live customers and address pricing issues. If the
8 method BellSouth has proposed is validated, BellSouth will be able to transmit
9 the ANI-II digits as WorldCom has requested. In that case, WorldCom's
10 proposed language should be acceptable to BellSouth.

11 **ISSUE 19**

12 *How should BellSouth be required to route OS/DA traffic*
13 *to MCIW's operator services and directory assistance*
14 *platforms? (Attachment 3, Sections 7.3.2, 7.3.2.2, 7.3.2.3,*
15 *7.6.4, 14.2.1.5. and 14.2.8; Attachment 9, Sections 2.8.1,*
16 *2.8.1.1, 3.2.1.1, 3.5.2 and 3.5.2.1.)*

17
18 **Q. WHAT LANGUAGE HAS WORLDCOM PROPOSED CONCERNING**
19 **ROUTING OF OS/DA TRAFFIC TO WORLDCOM'S OS/DA**
20 **PLATFORMS?**

21 A. A number of provisions address this issue, from Attachments 3 and 9. The
22 provisions in Attachment 3 (with agreed upon language in normal case,
23 BellSouth language in italics, and WorldCom language in bold) are as follows.
24 (The language set forth below has changed somewhat from that contained in
25 Exhibit C to the Petition in this docket as a result of further negotiations between
26 the parties.)

27 7.3.2. In addition to the requirements referenced in Appendix 1 of
28 this Attachment, BellSouth shall provide access to the following: -

1

...

2

7.3.2.2 Interface to Operator Services through appropriate trunk interconnections using selective routing and a signaling format acceptable to MCIIm for the system; and

3

4

5

6

7

7.3.2.3 Interface to MCIIm directory assistance services through the MCIIm switched network or to Directory Services through the appropriate trunk interconnections using selective routing and a signaling format acceptable to MCIIm for the system; and 950 access or other MCIIm required access to interexchange carriers as requested through appropriate trunk interfaces.

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7.6.4 When MCIIm's Operator Services Platform(s) traffic is routed to dedicated transport, BellSouth, as specified by MCIIm, shall overflow this traffic to shared trunk groups.

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14.2.1.5 Based on the line class codes established by MCIIm in BellSouth's end office, Tandem Switching shall provide connectivity to Operator Systems as designated by MCIIm[.]

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14.2.8 Tandem Switching shall route calls to BellSouth or MCIIm endpoints or platforms (e.g., operator services and PSAPs) on a per call basis as designated by MCIIm. Detailed primary and overflow routing plans for all interfaces available within the BellSouth switching network shall be mutually agreed to by MCIIm and BellSouth. Such plans shall meet MCIIm requirements for routing calls through the local network. Notwithstanding the provisions of Section 14.3.4, Tandem Switching shall not be used to route OS or DA calls, either directly or on an overflow basis.

34

35

The relevant provisions proposed by WorldCom from Attachment 9 are

36

as follows:

37

38

39

40

41

42

43

2.8.1 BellSouth shall route resale and UNE-P Operator Services traffic to MCIIm's designated platform using switched access facilities that provide ANI, or in any other manner agreed to by MCIIm. MCIIm shall order selective routing and separate trunk groups to the designated platform for each BellSouth end office identified by MCIIm.

1 **2.8.1.1 At its option, MCIIm may order, and BellSouth shall**
 2 **provision, separate trunk groups from the BellSouth access**
 3 **tandem or end office to MCIIm's platform, as directed by**
 4 **MCIIm.**

5
 6 3.2.1.1 At MCI's option, BellSouth shall route **all 411, 1411,**
 7 **555-1212 Directory Assistance** traffic to MCIIm's Directory
 8 Assistance Services platform. *MCIIm shall order selective routing*
 9 *and separate trunk groups to the designated platform for each*
 10 *BellSouth end office identified by MCIIm.* **using FGD signaling**
 11 **either through direct end office trunking or via the access**
 12 **tandem.**

13
 14 **3.5.2 BellSouth shall route resale and UNE-P Directory**
 15 **Assistance traffic to MCIIm's designated platform using**
 16 **switched access facilities that provide ANI, or in any other**
 17 **manner agreed to by MCIIm.**

18
 19 **3.5.2.1 At its option, MCIIm may order, and BellSouth**
 20 **shall provision, separate trunk groups from the**
 21 **BellSouth access tandem or end office to MCIIm's**
 22 **platform, as directed by MCIIm.**

23
 24
 25 **Q. WHAT ISSUE GIVES RISE TO THE PARTIES' DIFFERENCES WITH**
 26 **RESPECT TO THIS LANGUAGE?**

27 **A.** Broadly stated, the issue is what means BellSouth should be required to use in
 28 transporting OS/DA traffic to WorldCom's OS/DA platforms.

29 **Q. WHAT IS WORLDCOM'S POSITION ON THIS ISSUE?**

30 **A.** WorldCom's position is that WorldCom should have the option of having
 31 OS/DA traffic delivered to its OS/DA platforms in one of two ways. First,
 32 BellSouth must transport this traffic using shared transport, either for all OS/DA
 33 calls or on an overflow basis, using a compatible signaling protocol from the
 34 point of origination. Second, BellSouth must, at WorldCom's option, provide

1 dedicated transport for this traffic, using a compatible signaling protocol from the
2 point of origination.

3 **Q. WHAT IS BELLSOUTH'S POSITION ON THE OS/DA ROUTING**
4 **ISSUE?**

5 A. BellSouth claims that it provides selective routing in accordance with FCC rules,
6 is not required to deliver OS/DA traffic using shared transport, and is not
7 required to send OS/DA traffic over dedicated trunks with compatible signaling.

8 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION WITH**
9 **RESPECT TO SHARED TRANSPORT?**

10 A. For WorldCom to provide its own operator services and directory assistance
11 (OS/DA) service efficiently for its customers served by unbundled switching,
12 WorldCom must be able to obtain OS/DA traffic over shared transport via a
13 BellSouth tandem, and over dedicated trunks that can overflow to shared
14 transport as needed. Without shared transport, WorldCom would be required to
15 lease dedicated trunk groups from every BellSouth end office serving its
16 customers, which would be prohibitively expensive and grossly inefficient. To
17 deliver OS/DA traffic via shared transport, BellSouth must provide Feature
18 Group D signaling from the point of origination (that is, at the BellSouth end
19 office providing the unbundled switching).

20 FCC rules provide that ILECs must provide "all technically feasible
21 transmission facilities, features, functions, and capabilities that the requesting
22 telecommunications carrier could use to provide telecommunications services."
23 47 C.F.R. 51.319(d)(2)(B). It is technically feasible for BellSouth to convert its

1 OS/DA signaling protocol at its end offices so that OS/DA signaling can be sent
 2 over shared transport. Possible ways of doing so include modifying the equal
 3 access tables in BellSouth's switches and employing an Advanced Intelligent
 4 Network ("AIN") solution. BellSouth should be required to implement such a
 5 solution.

6 I also note that operator services must be routed over shared transport for
 7 an independent reason. Tandem switching is an unbundled network element that
 8 BellSouth must provide. BellSouth must provide all of the features, functions,
 9 and capabilities of tandem switching. One of the tandem switching capabilities
 10 that must be provided pursuant to the FCC's regulations is the routing of calls to
 11 operator services. 47 C.F.R. § 51.319(c)(2)(C). Accordingly, BellSouth must
 12 route operator services calls to its tandem over shared transport so they can be
 13 switched to WorldCom's operator services platform.

14 **Q. WHAT IS THE BASIS FOR WORLDCOM'S POSITION WITH**
 15 **RESPECT TO DEDICATED TRANSPORT?**

16 FCC regulations require BellSouth to provide any technically feasible
 17 customized routing functions. 47 C.F.R. § 51.319 (c)(1)(A)(iii)(2). Moreover,
 18 BellSouth must provide customized routing in a manner that actually enables
 19 WorldCom to route the directory assistance and operator services traffic to
 20 WorldCom's self-provisioned DA and OS platforms because "[l]ack of a
 21 customized routing solution that enables competitors to route traffic to alternative
 22 OS/DA providers would . . . effectively preclude competitive LECs from using
 23 such alternative providers." *Rule 319 Remand Order*, ¶ 462. The customized

1 routing solution should provide WorldCom with a non-discriminatory and
2 efficient method for bringing the OS/DA traffic to WorldCom's OS/DA
3 platform. To meet this requirement, BellSouth must, at WorldCom's option,
4 provide selective routing to WorldCom dedicated trunks carrying its OS/DA
5 traffic, using a compatible signaling protocol from the point of origination.

6 **Q. IS BELL SOUTH CAPABLE OF ROUTING OS/DA TRAFFIC AS**
7 **WORLD COM IS REQUESTING?**

8 A. As I have stated with regard to Issues 5 and 15, BellSouth's proposed routing
9 method needs to be tested under commercial conditions, and pricing
10 arrangements need to be agreed to, but based on the testing WorldCom has done
11 to date it appears that BellSouth is capable of routing OS/DA traffic as
12 WorldCom requests. WorldCom's proposed language therefore now should be
13 acceptable to BellSouth.

14

15 **B. Collocation Issues**

16 **Q. BEFORE YOU DISCUSS THE SPECIFIC COLLOCATION ISSUES,**
17 **PLEASE EXPLAIN WHY IT IS IMPORTANT THAT THE**
18 **COMMISSION RESOLVE THESE COLLOCATION ISSUES.**

19 A. Collocation has long been a source of pitfalls and frustration for alternative local
20 exchange carriers ("ALECs"). Yet collocation, given the growth of and demand
21 for xDSL "broadband" services and the emphasis by the Federal
22 Communications Commission ("FCC") on collocation in the *Third Report and*
23 *Order and Fourth Further Notice of Proposed Rulemaking*, FCC 99-238, In the

1 Matter of Implementation of the Local Competition Provisions of the
2 Telecommunications Act of 1996, CC Docket No. 96-98, released November 5,
3 1999, is of key importance now in the development of competition in local
4 exchange service. State commissions, in particular, have an important role in
5 defining and resolving collocation issues, such as provisioning intervals, in the
6 context of arbitration proceedings. *First Report and Order* (“*Advanced Services*
7 *First Report and Order*”), FCC 99-48, In the Matter of Deployment of Wireline
8 Services Offering Advanced Telecommunications Capability, released March 31,
9 1999, at paragraphs 54-55. In the *Advanced Services First Report and Order*, as
10 well as the *Order on Reconsideration and Second Further Notice of Proposed*
11 *Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed*
12 *Rulemaking in CC Docket No. 96-98* (“*Order on Reconsideration*”), FCC 00-
13 297, In the Matters of Deployment of Wireline Services Offering Advanced
14 Telecommunications Capability and Implementation of the Local Competition
15 Provisions of the Telecommunications Act of 1996, CC Dockets Nos. 98-147 and
16 96-98, released August 10, 2000, the FCC adopted collocation rules to serve as
17 minimum standards. *Advanced Services First Report and Order*, at paragraph 8;
18 *Order on Reconsideration*, at paragraph 5. States are permitted to adopt
19 additional requirements, which can greatly assist in the development of
20 competition.

21 **Q. WHAT IS THE FUNDAMENTAL DIFFERENCE BETWEEN**
22 **WORLDCOM AND BELL SOUTH WITH REGARD TO COLLOCATION**
23 **ISSUES GENERALLY?**

1 A. WorldCom wants predictable, specific provisions for ordering and provisioning
 2 collocation space. Thus we seek to reduce uncertainty and opportunities for
 3 delay and litigation, through language in our interconnection agreement that
 4 comprehensively deals with the terms, conditions, intervals and rates for
 5 collocation. This will allow us a “menu” of choices for ordering and
 6 provisioning collocation space, much like the tariff process that exists for other
 7 services today. BellSouth, however, wants an *ad hoc* individual case basis
 8 (“ICB”) approach that would subject ALECs to negotiations and, hence,
 9 uncertainty, expense and delay. An ICB approach does not appear to be the
 10 direction in which the FCC is traveling or this Commission should go, if
 11 competition is to become a reality in local exchange service. This difference
 12 between the parties can be seen throughout the following discussion of the
 13 parties’ disputes.

14 **ISSUE 54**

15
 16 *Should security charges be assessed for collocation in*
 17 *offices with existing card key systems, and how should*
 18 *security costs be allocated in central offices where new*
 19 *card key systems are being installed? (Attachment 5,*
 20 *Section 7.3; and Attachment 1, Appendix 1.)*
 21

22 **Q. WHAT IS THE LANGUAGE IN DISPUTE CONCERNING THIS ISSUE?**

23 A. WorldCom has proposed that the following language be added to Attachment 5,
 24 Section 7.3: “BellSouth shall recover the costs for security for the Premises pro
 25 rata on a per square foot basis across all usable space in the Premises.” The rate
 26 itself would appear in Attachment 1, Appendix 1.

27 **Q. WHAT IS BELL SOUTH’S POSITION?**

1 A. BellSouth's proposal is to allocate the costs of a security card key system,
2 existing or to be installed in the future, so that carriers would pay the same
3 charge regardless of the amount of space occupied (i.e., on a per capita basis).
4 BellSouth complains that under WorldCom's proposal, security access costs
5 would constantly have to be recalculated and reassessed each time an additional
6 party established a collocation arrangement in a particular office and each time
7 an existing collocator changed the square footage of its collocation arrangement.
8 BellSouth further states that allocating security access costs as WorldCom
9 proposes does not consider that certain space within an office cannot be used for
10 the placement of telecommunications equipment by any party, including
11 BellSouth. BellSouth contends that the benefits of accessing BellSouth's central
12 offices via a security card key system is not a function of how much space the
13 carrier occupies in that central office, because such access provides "equal value"
14 to all parties.

15 **Q. WHAT IS WORLDCOM'S RESPONSE, AS WELL AS ITS PROPOSAL**
16 **TO RESOLVE THIS ISSUE?**

17 A. A periodic mathematical exercise to recalculate costs would not be burdensome.
18 Moreover, when BellSouth installs a *new* card reader system, it does so because
19 it has chosen to do so to protect its equipment, not to protect collocators'
20 equipment. Of course, while it is BellSouth's choice that causes these costs to be
21 incurred, collocators may benefit marginally from BellSouth's choice. To the
22 extent, then, that both BellSouth and the collocators are the beneficiaries of
23 reasonable security measures, a reasonable allocation of the costs should be

1 developed. A “reasonable allocation” must bear some relationship to the benefits
2 derived by each party.

3 Based on the Telecommunications Act of 1996, FCC rules and other
4 precedent, the best approach is to base cost recovery on the square footage that a
5 ALEC occupies. BellSouth incurs no incremental (or out of pocket) expense for
6 the installation of card reader systems in offices with *existing* systems.

7 Assessment of security charges in these offices has no basis in cost and
8 constitutes a windfall for BellSouth.

9 **Q. WHY IS THE WORLDCOM PROPOSAL A BETTER SOLUTION?**

10 A. A pro-rata allocation of security costs based upon the square footage occupied by
11 BellSouth and each collocator in the central office is reasonable. A pro-rata
12 allocation of security costs based on the square footage occupied by BellSouth
13 and each collocator will assess each carrier (including BellSouth) a cost that is
14 related to the benefit it derives from the security system. A carrier that occupies
15 a good deal of space and protects a large amount of telecommunications
16 equipment will be assessed a greater share of the security costs than a carrier that
17 occupies a small space and is protecting only a small amount of equipment. That
18 is the way it should be.

19 A per capita allocation of security costs, which is maintained by
20 BellSouth, would assess all carriers the same charge, regardless of the amount of
21 space occupied by a given carrier. This allocation is arbitrary, because it fails to
22 recognize that BellSouth chooses to incur these costs. Moreover, a per capita

1 allocation bears no relationship to the different level of benefits derived by each
2 carrier from a security system.

3 **Q. HAS THE FLORIDA COMMISSION PREVIOUSLY ADDRESSED THIS**
4 **ISSUE?**

5 A. Yes. The Commission specifically addressed the recovery of the cost of security
6 arrangements in Order No. PSC-00-0941-FOF-TP, issued May 11, 2000 in
7 Docket Nos. 981834-TP and 990321-TP (the "Florida Collocation Order"). In
8 Section XVII of that order, the Commission stated:

9 First, we are persuaded and so find that the costs of
10 security arrangements, site preparation, and other costs
11 necessary to the provisioning of collocation space incurred
12 by the ILEC that benefit only a single collocating party in
13 a central office should be paid for by that collocating
14 party. ... (R)ecovering costs only from the party that
15 benefits will eliminate the burden on ILECs and other
16 collocators of paying for costs of collocation they did not
17 cause to be incurred.

18
19 Second, we find it appropriate that the costs of security
20 arrangements, site preparation, and other costs necessary
21 to the provisioning of collocation space incurred by the
22 ILEC that benefit both current and future collocating
23 parties shall be recoverable by the ILEC from current and
24 future collocating parties. In this case, these costs shall be
25 allocated based on the amount of floor space occupied by a
26 collocating party, relative to the total collocation space for
27 which site preparation was performed.

28
29 Third, we find that the costs of security arrangements, site
30 preparation, and other costs necessary to the provisioning
31 of collocation space incurred by the ILEC that benefit
32 current or future collocating parties and the ILEC shall be
33 recoverable by the ILEC from current and future
34 collocating parties, and a portion shall be attributed to the
35 ILEC itself. We note that the ALECs addressed their
36 concerns over security issues that not only benefit
37 collocating parties, but also benefit the ILEC.
38 Acknowledging those concerns, we shall require that when

1 multiple collocators and the ILEC benefit from
 2 modifications or enhancements, the cost of such benefits
 3 or enhancements shall be allocated based on the amount of
 4 square feet used by the collocator or the ILEC, relative to
 5 the total useable square footage in the central office.
 6

7 **Q. WHICH OF THE THREE SITUATIONS DESCRIBED BY THE**
 8 **COMMISSION APPLIES TO THE SECURITY SYSTEMS AT ISSUE IN**
 9 **THE PROPOSED INTERCONNECTION AGREEMENT?**

10 A. This situation falls into the third category described in the Commission's order,
 11 where there are benefits to both BellSouth and the ALECs. In this case, the
 12 order is very clear that the cost should be allocated to parties on a per square foot
 13 basis. Accordingly, WorldCom's proposed language should be approved for
 14 inclusion in the agreement.

15 **ISSUE 56**

16
 17 *Should BellSouth be required to provide DC power to*
 18 *adjacent collocation space? (Attachment 5, section 3.4.)*
 19

20 **Q. WHAT IS THE LANGUAGE IN DISPUTE?**

21 A. The parties have agreed to the following language in Attachment 5, with the
 22 exception of WorldCom's proposed language in bold:

23 3.4 WorldCom shall provide a concrete pad, the structure
 24 housing the arrangement, HVAC, lighting, and all facilities
 25 that connect the structure (i.e. racking, conduits, etc.) to the
 26 BellSouth demarcation point. At WorldCom's option,
 27 BellSouth shall provide **an AC or DC** power source and
 28 access to physical collocation services and facilities subject
 29 to the same nondiscriminatory requirements as applicable to
 30 any other physical collocation arrangement.
 31

32 **Q. WHAT ARE THE PARTIES' POSITIONS?**

1 A. WorldCom's position is that BellSouth should be required to provide DC power
 2 to adjacent collocation space. BellSouth's position is that it should not be
 3 required to provide DC power to adjacent collocation space.

4 **Q. IS BELLSOUTH GENERALLY OPPOSED TO PROVIDING DC POWER
 5 TO COLLOCATORS?**

6 A. No. The issue has arisen with respect to adjacent collocation space, not with
 7 respect to collocating within the central office of BellSouth.

8 **Q. WHAT IS ADJACENT COLLOCATION SPACE?**

9 A. Adjacent collocation space is described in 47 C.F.R. 51.323 (k) (3). When space
 10 is legitimately exhausted in a particular ILEC premises, collocation in adjacent
 11 controlled environmental vaults or similar structures must be made available to
 12 the extent technically feasible. The FCC defined "premises" in 47 C.F.R. § 51.5
 13 to refer "to an incumbent LEC's central offices and serving wire centers, as well
 14 as all buildings or similar structures owned or leased by an incumbent LEC that
 15 house incumbent LEC facilities on public rights-of-way, including but not
 16 limited to vaults containing loop concentrators or similar structures." In the
 17 *Order on Reconsideration*, that definition was amended

18 to make clear that 'premises' includes all buildings and
 19 similar structures owned, leased, or otherwise controlled
 20 by the incumbent LEC that house its network facilities, all
 21 structures that house incumbent LEC facilities on public
 22 rights-of-way, and all land owned, leased, or otherwise
 23 controlled by an incumbent LEC that is adjacent to these
 24 structures. *Id.* at ¶ 44.
 25

26 **Q. WHY IS THIS ISSUE IMPORTANT?**

1 A. *Collocated equipment runs on DC power*, yet BellSouth's view is, after the
2 ALEC has been relegated to adjacent collocation space (i.e., outside the central
3 office), BellSouth is not obligated to provide DC power.

4 The opportunity for discrimination against ALECs is particularly acute in
5 this situation. Adjacent collocation space does not have to be employed for
6 collocation unless space in BellSouth's central office is legitimately exhausted.
7 Space can be exhausted, according to BellSouth, if BellSouth occupies or
8 reserves space, even for functions unrelated to the functioning of the central
9 office or collocators. If BellSouth categorically refuses to provide DC power,
10 WorldCom must incur significant costs to accommodate AC power, provided by
11 BellSouth or from some other source, and to convert that power to DC. These
12 costs will be incurred, moreover, as a result of being required to collocate
13 equipment *outside* of a BellSouth central office.

14 **Q. WHY DOES BELLSOUTH MAINTAIN SUCH A POSITION?**

15 A. BellSouth categorically states that the cabling used to provide DC power is not
16 "rated for outside use." BellSouth has not cited a specific provision of the
17 national electric codes to support its position, but evidently purports to have
18 some safety concerns about the use of DC power; yet the national electric codes
19 mention no problem with its provision by BellSouth. Indeed, BellSouth's
20 presumed option for ALECs – to use batteries in an enclosed space – rebuts
21 BellSouth's alleged safety concerns, since that option itself would introduce
22 safety concerns. ALECs would have to employ generators, batteries and other
23 equipment in order to provide collocation from the adjacent location. Even if

1 BellSouth's contentions regarding safety were generally valid (which they are
2 not), the principle of "technical feasibility," by which requests for physical
3 collocation are considered, strongly suggests that DC power cannot be
4 categorically denied.

5 **Q. WHAT DO THE FCC'S REGULATIONS REQUIRE?**

6 A. In the *Advanced Services First Report and Order*, the FCC held

7
8 (W)hen collocation space is exhausted at a particular LEC
9 location, we require incumbent LECs to permit collocation
10 in adjacent controlled environmental vaults or similar
11 structures to the extent technically feasible." *Id.* at
12 paragraphs 6, 44.

13
14 Thus, the FCC's regulations require BellSouth, as an initial matter, to provide
15 collocation in its central office, or in adjacent controlled environmental vaults or
16 similar structures. The regulations also require BellSouth to provide power and
17 physical collocation services to the adjacent collocation space "subject to the
18 *same* nondiscrimination requirements as applicable to any other physical
19 collocation arrangement." 47 C.F.R § 51. 323 (k) (3) (emphasis added). This is
20 a matter of fairness: BellSouth must provide DC power to WorldCom's
21 equipment in an adjacent collocation if it provides DC power to the equipment in
22 the central office.

23 Hence the FCC also held that "(t)he incumbent must provide power and
24 physical collocation services and facilities, subject to the same nondiscrimination
25 requirements as traditional collocation arrangements." *Advanced Services First*
26 *Report and Order*, at Paragraph 44.

1 **Q. HAS THE FLORIDA COMMISSION PREVIOUSLY ADDRESSED THIS**
 2 **ISSUE?**

3 A. Yes. In its Collocation Order, in Section IV, this Commission held that

4 when space legitimately exhausts within an ILEC's
 5 premises, the ILEC shall be obligated to provide physical
 6 collocation services to an ALEC who collocates in a CEV
 7 or adjacent structure located on the ILEC's property to the
 8 extent technically feasible, based on the FCC's Advanced
 9 Services [First Report and] Order.

10
 11 These services would include DC power, to the extent that its provision is
 12 technically feasible.

13 **Q. HAS ANY OTHER STATE COMMISSION ADDRESSED THIS ISSUE?**

14 A. Yes, the Texas PUC has ordered that DC power must be made available to
 15 adjacent collocation space. In Order No. 54, Investigation of Southwestern Bell
 16 Telephone Company's Entry into the Texas InterLATA Telecommunications
 17 Market, Public Utility Commission of Texas, Project No. 16251, the Texas PUC
 18 ordered the following to be incorporated in SWBT's tariff:

19
 20 Sec. 6.1.1 Types of Available Physical Collocation
 21 Arrangements

22
 23 6.1.1(E) Adjacent Space Collocation-

24
 25 (originally 6.1.1(D)) The Commission finds that SWBT
 26 should provide power in multiples of the following DC
 27 power increments: 20, 40, 50, 100, 200, and 400 AMPS.
 28 SWBT should provide reference to the definition of the
 29 term "Legitimately Exhausted." The Commission notes
 30 that provision of DC power to adjacent on-site collocation
 31 facility may include increments of 600 and 800 Amps;
 32 however, the feasibility and rates for providing 600, and
 33 800 Amps service will be finalized during the permanent
 34 cost proceeding. The Commission finds that SWBT and

1 the collocators shall mutually agree upon the location of
2 the "adjacent structure". . .

3
4 The Commission therefore finds that 6.1.1(E) should be
5 modified as follows:

6
7 6.1.1(E) Adjacent Space Collocation – Where Physical
8 Collocation space within a SWBT Eligible Structure is
9 Legitimately Exhausted, as that term is defined in Section
10 2 of this Tariff, SWBT will permit Collocators to
11 physically collocate in adjacent controlled environmental
12 vaults or similar structures that SWBT uses to house
13 equipment, to the extent technically feasible. SWBT and
14 CLEC will mutually agree on the location of the
15 designated space on SWBT premises where the adjacent
16 structure will be placed. SWBT will not withhold
17 agreement as to the site desired by Collocator, subject only
18 to reasonable safety and maintenance requirements. . . . At
19 its option, the Collocator may choose to provide its own
20 AC and DC power to the adjacent structure. SWBT will
21 provide physical collocation services to such adjacent
22 structures, subject to the same requirements as other
23 collocation arrangements in this tariff.
24

25 There are other sections of the SWBT tariff that also concern the
26 provision of DC power by the incumbent.

27 **Q. WHAT IS WORLDCOM PROPOSING THAT BELL SOUTH**
28 **PROVISION, WITH RESPECT TO DC POWER TO AN ADJACENT**
29 **COLLOCATION SITE?**

30 A. WorldCom will provide the cabling to BellSouth's power distribution board.
31 BellSouth would provide the conduit to the adjacent collocation space. The
32 pricing would be calculated pursuant to Attachment I of the interconnection
33 agreement.

34 **Q. PLEASE SUMMARIZE YOUR TESTIMONY IN THIS REGARD.**

1 A. The law requires adjacent collocation to be provided in a non-discriminatory
 2 manner. There is no demonstrable or compelling reason why DC power should
 3 not be provided to ALECs.

4 **ISSUE 57**

5 *Should the Interconnection Agreement include MCIW's*
 6 *proposed terms and conditions regarding virtual*
 7 *collocation? (Attachment 5, section 6.)*
 8

9 **Q. WHAT TERMS AND CONDITIONS DOES WORLDCOM PROPOSE**
 10 **FOR VIRTUAL COLLOCATION?**

11 A. The following language has been proposed in Attachment 5 (with bold language
 12 proposed by WorldCom and bold, underlined language proposed by BellSouth).
 13 Again there are some changes from the language contained in Exhibit C to the
 14 Petition as the result of subsequent negotiations that have narrowed the issues
 15 between the parties.

16 Section 6. Introduction

17 Virtual Collocation will be made available according to the rates,
 18 terms and conditions described in the FCC Tariff No. 1. BellSouth
 19 shall provide Virtual Collocation at the rates set forth in
 20 Attachment 1 of this Agreement. If there are any inconsistencies
 21 between the FCC Tariff No. 1 and this Agreement, this
 22 Agreement shall control. To the extent BellSouth is required to
 23 provide virtual collocation under the Act, the additional terms and
 24 conditions contained herein shall also apply.
 25

26 6.1 Virtual collocation means WorldCom will provide and will
 27 lease to BellSouth transmission equipment dedicated to
 28 WorldCom's use. WorldCom **may, at its option, will be**
 29 **responsible for** monitoring and controlling WorldCom circuits
 30 terminating at BellSouth's premises. **BellSouth shall install**
 31 **WorldCom will contract directly with a BellSouth Certified**
 32 **Vendor for installation of** all equipment and facilities in
 33 accordance with BellSouth's guidelines and specifications.
 34 BellSouth will maintain and repair such equipment under the same
 35 intervals and with the same or better failure rates for performance

1 of similar functions for comparable BellSouth equipment.
 2 Maintenance includes the change out of electronic cards provided
 3 by WorldCom.

4 6.2 WorldCom may purchase the equipment from third
 5 parties, and will not be required to purchase the equipment from
 6 BellSouth.

7 6.3 To the extent BellSouth is required to provide virtual
 8 collocation outside the central office, BellSouth will provide
 9 unbundled transport and sub-loops in accordance with the terms of
 10 this agreement.

11 6.4 BellSouth will make available digital, analog and fiber
 12 cross-connects for virtual collocation at the rates contained in
 13 Attachment 1.
 14

15 **Q. WHAT IS VIRTUAL COLLOCATION?**

16 A. Virtual collocation allows an ILEC to retain physical control of collocating
 17 equipment, along with the responsibility for installing, maintaining and repairing
 18 it, under the same intervals and with the same or better rates for the performance
 19 of similar functions for comparable ILEC equipment. Under virtual collocation,
 20 interconnectors are allowed to designate central office transmission equipment
 21 dedicated to their use, as well as to monitor and control their circuits terminating
 22 in the ILEC central office. Interconnectors do not pay for the incumbent's floor
 23 space and have no right to enter the ILEC central office. The responsibility for
 24 installation and monitoring, however, lies squarely with the ILEC in whose
 25 central office the equipment is located.

26 Some history may be instructive: Virtual collocation, prior to the
 27 Telecommunications Act, was relied upon by ILECs in lieu of physical
 28 collocation. The explicit authority of the FCC to mandate physical collocation as
 29 a method of providing interconnection or access to unbundled elements had been

1 found lacking by the D.C. Circuit Court of Appeals in Bell Atlantic v. FCC, 24
2 F.3d 1441 (1994). Thus, under the FCC's *Expanded Interconnection* rules,
3 which were amended subsequent to that decision, ALECs using physical
4 collocation were required by many ILECs to convert to virtual collocation.

5 With the passage of the Telecommunications Act, LECs are required
6 under Section 251 (c) (6)

7 to provide, on rates, terms, and conditions that are just,
8 reasonable, and nondiscriminatory, for physical
9 collocation of equipment necessary for interconnection or
10 access to unbundled network elements at the premises of
11 the local exchange carrier, except that the carrier may
12 provide for virtual collocation if the local exchange carrier
13 demonstrates to the State commission that physical
14 collocation is not practical for technical reasons or because
15 of space limitations.

16
17 **Q. WHY WOULD AN ALEC PREFER, IN SOME INSTANCES, VIRTUAL**
18 **TO PHYSICAL COLLOCATION?**

19 A. As noted by the FCC, competitive carriers may find that virtual collocation is
20 less costly or more efficient than physical collocation in a given situation. *Local*
21 *Competition Order*, ¶ 552.

22 **Q. WHAT IS BELL SOUTH'S POSITION REGARDING THE DISPUTED**
23 **TERMS AND CONDITIONS FOR VIRTUAL COLLOCATION?**

24 A. BellSouth's initial position was that virtual collocation need not be negotiated or
25 even included in the Interconnection Agreement. Later BellSouth explained that
26 it was not refusing to negotiate; instead, it apparently does not want the legal
27 responsibility of installing or monitoring equipment related to WorldCom's
28 collocation. BellSouth proposed language that would rely to a large extent on its

1 virtual collocation tariff. WorldCom's proposal would essentially accept the
2 incorporation by reference to BellSouth's tariff, but specify that in the event of a
3 conflict between the tariff and the Agreement, the latter would control.
4 WorldCom also proposed that the Agreement contain the rates for virtual
5 collocation, to ensure that those rates will be in place for the entire term of the
6 Agreement. WorldCom also would add language to clarify the relative rights and
7 obligations of the parties. Thus this issue has been recast during the course of
8 negotiations following the filing of our arbitration petition.

9 **Q. WHAT IS THE APPLICABLE LAW?**

10 A. While I am not a lawyer, I would like to provide the Commission my
11 understanding of the requirements of the law. Section 251(c) (1) of the
12 Telecommunications Act obligates incumbent LECs to negotiate the terms and
13 conditions of agreements to fulfill their duties under the Act with respect to
14 various matters, including collocation. Section 251(c) (2) requires incumbent
15 LECs to provide interconnection with the LEC's network "for the facilities and
16 equipment of any requesting telecommunications carrier." Section 251 (c) (3)
17 provides, in relevant part:

18 The duty to provide, to any requesting telecommunications
19 carrier for the provision of a telecommunications service,
20 nondiscriminatory access to network elements on an
21 unbundled basis at any technically feasible point on rates,
22 terms, and conditions that are just, reasonable, and
23 nondiscriminatory in accordance with the terms and
24 conditions of the agreement and the requirements of this
25 section and section 252 of this title.

26
27 In the *First Report and Order* ("*Local Competition Order*"), FCC 96-325, In re
28 Implementation of the Local Competition Provisions in the Telecommunications

1 Act of 1996, CC Docket No. 96-98, released in August 1996, the FCC noted the
2 argument of incumbent LECs, who maintained that the statute does not give the
3 FCC authority to require virtual collocation in addition to physical collocation,
4 unless the latter is not practical. The incumbent LECs cited section 251 (c) (6)
5 for supposed authority. Id. at paragraph 547. The FCC rejected the ILECs'
6 arguments, stating that

7 While section 251 (c) (6) limits an incumbent LEC's duty
8 to provide physical collocation in certain circumstances,
9 we find that it does not limit our authority to require, under
10 sections 251 (c) (2) and (c) (3), the provision of virtual
11 collocation. We note that under our Expanded
12 Interconnection rules, that were amended subsequent to
13 the Bell Atlantic decision, competitive entrants using
14 physical collocation were required by many incumbent
15 LECs to convert to virtual collocation. If the Commission
16 concluded that subsection (c) (6) places a limitation on
17 our authority to require virtual collocation, competitive
18 providers would be required to undertake costly and
19 burdensome actions to convert back to physical collocation
20 even if they were satisfied with existing virtual collocation
21 arrangements... In short, we conclude that, in enacting
22 section 251 (c) (6), Congress intended to expand the
23 interconnection choices available to requesting carriers,
24 not to restrict them. Id. at paragraph 551.

25
26 Further, Section 252 of the Act envisions that parties initially will negotiate the
27 terms and conditions governing the relationship between the parties and
28 incorporate those terms and conditions in an Interconnection Agreement. The
29 FCC specifically noted in this regard that it declined to adopt under Section 251
30 the *Expanded Interconnection* tariffing requirements adopted under section 201
31 for physical and virtual collocation. *Local Competition Order*, ¶ 567. The FCC
32 went on to note that "a requesting carrier would have the choice of negotiating an
33 interconnection agreement pursuant to sections 251 and 252 or of taking tariffed

1 interstate service under our Expanded Interconnection rules” (Emphasis added).
 2 Id. ¶ 611.

3 Pursuant to 47 C.F.R. §51.323 (a) an ILEC shall provide virtual
 4 collocation. 47 C.F.R. §51.323 (e) resolves the disputed language here , by
 5 stating that

6 When providing virtual collocation, *an incumbent LEC*
 7 *shall*, at a minimum, *install, maintain*, and repair
 8 collocated equipment identified in paragraph (b) of this
 9 section within the same time periods and with failure rates
 10 that are no greater than those that apply to the performance
 11 of similar functions for comparable equipment of the
 12 incumbent LEC itself.

13
 14 (Emphasis added.) Thus the Commission should resolve the disputed language
 15 in WorldCom’s favor.

16 ISSUE 59

17
 18 *Should collocation space be considered complete before*
 19 *BellSouth has provided MCIW with cable facility*
 20 *assignments (“CFAs”)? (Attachment 5, Section 7.15.2.)*

21
 22 **Q. WHAT IS THE LANGUAGE IN DISPUTE?**

23 A. The parties have agreed to the following language in Attachment 5, except for
 24 language in bold that WorldCom has proposed:

25 7.15.2 BellSouth will not be deemed to have completed work on
 26 a Collocation Space until it conforms to the original or jointly
 27 amended request **and BellSouth has provided the cable**
 28 **assignment information necessary to use the facility.**

29
 30 **Q. WHAT IS WORLDCOM’S POSITION IN THIS REGARD?**

31 A. Space is unusable unless we have been provided with cable facility assignments
 32 (“CFAs”). CFAs – which pertain to the naming and inventorying of cable
 33 facilities within a central office - are necessary for WorldCom to order service.

1 WorldCom contends that BellSouth should provide CFAs before the space is
2 considered completed.

3 **Q. WHAT IS BELLSOUTH'S POSITION?**

4 A. It maintains that collocation space is complete once all work done by BellSouth
5 or BellSouth's certified vendors is "complete," at which point BellSouth will
6 render a final bill to the ALEC and start charging WorldCom recurring charges
7 for occupying the space. This, however, apparently does not include the
8 assignment of cable facilities, in BellSouth's mind.

9 **Q. WHY SHOULD THE COMMISSION RULE IN FAVOR OF**
10 **WORLDCOM ON THIS POINT?**

11 A. The common sense meaning of "complete" is that everything that is necessary
12 for the ALEC to occupy the space and turn up power has been done. If
13 BellSouth maintains that its work is "complete" but there remains an ambiguity
14 whether service can be ordered, then WorldCom is uncertain whether it is able to
15 provision service, at a definite time, for its customers. This is an instance where
16 the Commission should remove some uncertainty. As stated by the FCC in both
17 the *Advanced Services First Report and Order*, ¶ 23, and the *Local Competition*
18 *Order*, ¶ 558, states have the flexibility to respond to specific issues by imposing
19 requirements that are consistent with the national rules. Finally, as part of the
20 collocation application, WorldCom gives BellSouth information that it needs to
21 supply CFAs, and the information WorldCom needs from BellSouth, for the most
22 part, may be supplied by BellSouth earlier in the process than upon construction
23 of the space; for example, BellSouth will provide cable location termination

1 requirements as part of its initial response to a collocation application, or at the
2 joint meeting.

3 **ISSUE 60**

4 *Should BellSouth provide MCIW with specified collocation*
5 *information at the joint planning meeting? (Attachment 5,*
6 *sections 7.17.2, 7.17.4 and 7.17.10.)*
7

8
9 **Q. WHAT IS THE LANGUAGE IN DISPUTE?**

10 A. WorldCom has proposed the following language in Attachment 5 regarding
11 information which is to be provided at the joint planning meeting:

12 7.17.2 If available, the exact cable type and cable termination
13 requirements for WorldCom provided POT bays (i.e., connector
14 type, number and type of pairs, and naming convention) that will
15 be used. If this information is not available at the joint planning
16 meeting, BellSouth shall provide it within 30 days of the date of
17 the joint planning meeting.

18
19 7.17.4 Power cabling connectivity information including the
20 sizes and number of power feeders and power feeder fuse slot
21 assignment on the BellSouth BDFB.

22
23 7.17.10 Identification of all technically feasible demarcation
24 points associated with the equipment reflected in the Bona Fide
25 Firm Order.
26

27 **Q. WHAT ARE THE PARTIES' POSITIONS ON THIS ISSUE?**

28 A. WorldCom's position is that the specified information should be provided at the
29 joint planning meeting. BellSouth has stated it is willing to provide certain (but
30 not all) information specified by WorldCom, but not necessarily at the joint
31 planning meeting. BellSouth concedes it is willing to provide the exact cable
32 location termination requirements at the joint planning meeting, or within thirty
33 (30) days thereafter (see MCI's proposed §7.17.2). BellSouth states that

1 “much of the information” we seek, however, is not available, or is “not
2 required” to be provided. BellSouth, however, does not state which information
3 is allegedly not available or that it is not required to provide. Despite the fact
4 that the identification of demarcation points is key information for a collocator
5 (as well as BellSouth) to know, to decide where and how it wishes to
6 interconnect, BellSouth baldly asserts that this information has “nothing to do”
7 with what is needed at the joint planning meeting. BellSouth maintains that it
8 has the right to designate demarcation points, and, consequently, that it will not
9 even *identify* technically feasible demarcation points.

10 **Q. WHY IS THE JOINT PLANNING MEETING IMPORTANT?**

11 A. Our position is based on common sense: WorldCom needs certain key
12 information to begin its design plans for a collocation space. This information
13 includes (i) power connectivity information, including size and number of power
14 feeders; (ii) the exact cable type and termination requirements for the WorldCom
15 provided point of termination (“POT”) bays; and (iii) identification of technically
16 feasible demarcation points. WorldCom needs to know the size and number of
17 power feeds and the designation of cable. As a practical matter, the providing of
18 this information commences the period for the ALEC to do its engineering work;
19 i.e., if the parties do not understand the other’s needs or limitations, then the
20 likelihood of delays and disputes is increased. For example, knowing what
21 BellSouth identifies as the cable requirements and a technically feasible
22 demarcation point assists a ALEC in ascertaining what equipment it needs.

23 **Q. WHAT SHOULD OCCUR AT THE JOINT PLANNING MEETING?**

1 A. Both parties should walk away from the meeting knowing how to engineer their
 2 respective “ends” of the collocation process. Unless the ALEC has the requested
 3 information, then it will not know how to complete collocation.

4 **Q. IS BELLSOUTH’S POSITION REASONABLE, IN VIEW OF THE NEED**
 5 **FOR THIS INFORMATION?**

6 A. No. This information would obviously assist both BellSouth and WorldCom,
 7 and its withholding appears to be for the purpose of delay. BellSouth does not
 8 want to identify technically feasible demarcation points because it denies that
 9 ALECs have the right to designate these points. The *Local Competition Order*
 10 and *Advanced Services First Report and Order*, as well as 47 C.F.R. 51.323,
 11 contemplate that the ALEC choose the point of interconnection.

12 BellSouth should be required to provide the information as requested.
 13 *Advanced Services First Report and Order*, ¶ 23; *Local Competition Order*, ¶
 14 558.

15 ISSUE 61

16
 17 *Should the per ampere rate for the provision of DC power*
 18 *to MCIW's collocation space apply to amps used or to*
 19 *fused capacity? (Attachment 5, section 7.18.6.)*
 20

21 **Q. WHAT IS THE LANGUAGE IN DISPUTE?**

22 A. The parties have proposed the following language in Attachment 5 (with
 23 WorldCom’s proposed language in bold, and BellSouth’s proposed language in
 24 bold and underlined):

25 7.18.6 Charges for -48V DC power **are as set forth in**
 26 **Attachment 1 will be assessed per ampere per month based**
 27 **upon the certified vendor engineered and installed power feed**
 28 **fused ampere capacity.** Rates include redundant feeder fuse

1 positions (A&B) and cable rack to WorldCom's equipment or
 2 space enclosure. When obtaining power from a BellSouth Battery
 3 Distribution Fuse Bay, fuses and power cables (A&B) must be
 4 engineered (sized), and installed by WorldCom's certified vendor.
 5

6 **Q. WHAT ARE THE PARTIES' POSITIONS?**

7 A. WorldCom's position is that the rate proposed by WorldCom in Attachment 1
 8 should apply on a per used ampere basis, taking into account the rated capacity of
 9 the equipment actually installed in the collocation space. BellSouth has proposed
 10 rates on a per fused ampere capacity basis; i.e., based on the size of the fuse it
 11 installs to handle equipment currently installed, equipment that may be installed
 12 in the future, plus a margin above that level.

13 **Q. WHAT IS THE DIFFERENCE BETWEEN THE PARTIES' POSITIONS?**

14 A. WorldCom's proposal, simply stated, is based on the fact that the parties' original
 15 interconnection agreement, which was approved by the Commission, prices
 16 power simply on a per ampere basis. The Commission ordered a permanent rate,
 17 which has been proposed for use here by WorldCom, also on this basis. It is
 18 clear from the previous agreement that BellSouth would measure how much
 19 power each ALEC was using and would bill the ALEC accordingly.
 20 Consequently, the Commission should order that the rate proposed by WorldCom
 21 in Attachment 1, which is the permanent rate ordered by the Commission, be
 22 applicable as between the parties. There is no reason to relitigate this issue.

23 Moreover, WorldCom's proposal permits BellSouth to recover from
 24 WorldCom over the life of the power supply equipment, WorldCom's pro-rata
 25 share of the cost of power supply. A recurring rate equal to the forward-looking
 26 cost of power supply per amp times the amps consumed by WorldCom fully

1 compensates BellSouth. BellSouth should bill WorldCom a recurring rate per
 2 amp equal to the forward-looking cost of power supply times the number of amps
 3 consumed by the WorldCom equipment actually installed.

4 In contrast, BellSouth's proposal would allow BellSouth to recover from
 5 WorldCom more than WorldCom's share of the costs. BellSouth proposes to
 6 charge a large up-front non-recurring charge for construction of power supply
 7 plus a recurring rate that also will reflect the cost of the power supply. This
 8 method represents a "double" recovery of the costs by BellSouth.

9 **ISSUE 63**

10 *Is MCIW entitled to use any technically feasible entrance*
 11 *cable, including copper facilities? (Attachment 5, section*
 12 *7.21.1.)*
 13

14 **Q. WHAT IS THE LANGUAGE IN DISPUTE CONCERNING THIS ISSUE?**

15 A. The parties have agreed upon the following language in Attachment 5, with the
 16 exception of the language in bold that is proposed by WorldCom:

17 7.21.1 WorldCom may elect to place WorldCom-owned or
 18 WorldCom-leased fiber entrance facilities into the Collocation
 19 Space. BellSouth will designate the point of entrance in close
 20 proximity to the Central Office building housing the Collocation
 21 Space, such as an entrance manhole or a cable vault which are
 22 physically accessible by both parties. WorldCom will provide and
 23 place fiber cable at the point of entrance of sufficient length to be
 24 pulled through conduit and into WorldCom's Collocation Space.
 25 If WorldCom uses an entrance facility with a metallic member,
 26 BellSouth shall open the cable sheath in the vault and bond the
 27 metallic member to ground. In the event WorldCom utilizes a non-
 28 metallic entrance facility, grounding of the cable will not be
 29 required. WorldCom must contact BellSouth for instructions
 30 associated with duct assignments and scheduling and other
 31 information as required prior to placing the entrance facility cable
 32 in the manhole. WorldCom is responsible for maintenance of the
 33 entrance facilities, except that BellSouth is responsible for the
 34 maintenance of any bonding required. At WorldCom's option

1 BellSouth will accommodate where technically feasible a
 2 microwave entrance facility pursuant to separately negotiated
 3 terms and conditions. **Notwithstanding any other provision of**
 4 **this Agreement, MCI may use fiber, copper, coaxial, or any**
 5 **other technically feasible type of entrance cable.**
 6

7 **Q. WHAT ARE THE PARTIES' POSITIONS ON THIS ISSUE?**

8 A. WorldCom's position is that it is entitled to use any technically feasible entrance
 9 cable, including copper facilities. BellSouth's position is that WorldCom should
 10 be restricted to the use of fiber entrance facilities only, except with respect to
 11 adjacent space collocation arrangements.

12 **Q. WHAT IS THE REGULATORY BACKGROUND OF THIS ISSUE?**

13 A. The FCC's regulations specifically permit collocators to use copper cable:
 14 "When an incumbent LEC provides physical collocation, virtual collocation, or
 15 both, the incumbent LEC shall: ... (3) permit interconnection of copper or
 16 coaxial cable if such interconnection is first approved by the state commission."
 17 47 C.F.R. § 51.323(d)(3).

18 **Q. DOES A SIGNIFICANT AMOUNT OF COPPER CABLE OWNED BY**
 19 **BELLSOUTH PRESENTLY ENTER BELLSOUTH CENTRAL**
 20 **OFFICES?**

21 A. Yes. *BellSouth even admits that this is the case.* Therefore, as a matter of
 22 parity and nondiscriminatory treatment, WorldCom is clearly entitled to bring
 23 copper cable into the central office as well.

24 **Q. HAS THE FLORIDA COMMISSION PREVIOUSLY ADDRESSED A**
 25 **SIMILAR ISSUE?**

26 A. Yes, the Florida Commission has ruled, in Section IV of its Collocation Order:

1 As for the provision of DSL over fiber, the evidence
2 supports that this is technically feasible, and that there is
3 equipment available which accommodates DSL over fiber.
4 An ALEC would, however, be required to obtain
5 additional equipment to utilize this technology. Requiring
6 an ALEC to purchase such equipment could significantly
7 increase the ALEC's collocation costs. Therefore, we
8 believe that requiring fiber optic entrance facilities could
9 be a competitive obstacle for certain ALECs requesting
10 collocation facilities and are persuaded that ALECs shall
11 be allowed to use copper entrance cabling.

12
13 We have considered the fact that entrance facilities have a
14 certain capacity per central office and that allowing copper
15 cabling could accelerate the entrance facility exhaust
16 interval. Therefore, ILECs shall be allowed to require an
17 ALEC to use fiber entrance cabling after providing the
18 ALEC with an opportunity to review evidence that
19 demonstrates entrance capacity is near exhaustion at a
20 particular central office. The evidence of record is
21 insufficient to determine what percentage of entrance
22 facility should be in use before requiring fiber optic
23 cabling; however, factors for consideration should include,
24 but not be limited to, subscriber growth, "off-site
25 collocation" growth and cabling request, and cabling
26 requirements of the ILEC.
27

28 **Q. DOES THIS RULING APPLY TO THE SITUATION ADDRESSED IN**
29 **THE PROPOSED INTERCONNECTION AGREEMENT LANGUAGE?**

30 A. Not directly. My understanding is that in the Collocation Order the Commission
31 was addressing only the type of connection permitted between "adjacent
32 collocation" and the ILEC central office. The issue in this arbitration is
33 somewhat broader. Nevertheless, the same basic principle should apply, and
34 copper entrance facilities should be permitted unless BellSouth proves that
35 entrance facilities are at or near exhaustion in a particular central office.

36 **Q. WHAT IS WORLDCOM ASKING THE COMMISSION TO DO?**

1 A. We are asking the Commission to require BellSouth to provide parity, and allow
 2 WorldCom to use copper entrance facilities in situations where BellSouth uses
 3 such facilities itself. Copper entrance ducts merely present another factor in
 4 considering what space and facilities are available for collocation. Although
 5 ILECs should be allowed to reserve some space (central office or entrance ducts)
 6 for future needs, any such reservation should be supported on a competitively
 7 neutral basis, with forecasts and growth projections, and the ALEC should have
 8 the right to review what space exists and what future requirements an ILEC has
 9 when the latter contends there is a “near exhaust” situation. The burden should
 10 remain on the ILEC to demonstrate impairment of service; otherwise, ALECs
 11 would face a nearly impossible task to prove that the facility is not near
 12 exhaustion.

13 **ISSUE 64**

14 *Is MCIW entitled to verify BellSouth’s assertion, when*
 15 *made, that dual entrance facilities are not available?*
 16 *Should BellSouth maintain a waiting list for entrance*
 17 *space and notify MCIW when space becomes available?*
 18 *(Attachment 5, section 7.21.2.)*
 19

20 **Q. WHAT IS THE LANGUAGE IN DISPUTE CONCERNING THIS ISSUE?**

21 A. The parties have agreed upon the following language in Attachment 5,
 22 except for the bold language proposed by WorldCom:

23 7.21.2 Dual Entrance. BellSouth will provide at least two
 24 interconnection points at each central office premises where there
 25 are at least two such interconnection points available and where
 26 capacity exists. Upon receipt of a request for physical collocation
 27 under this Attachment, BellSouth shall provide WorldCom with
 28 information regarding BellSouth’s capacity to accommodate dual
 29 entrance facilities. If conduit in the serving manhole(s) is
 30 available and is not reserved for another purpose for utilization

1 within 12 months of the receipt of an application for collocation,
 2 BellSouth will make the requested conduit space available for
 3 installing a second entrance facility to WorldCom's arrangement.
 4 The location of the serving manhole(s) will be determined at the
 5 sole discretion of BellSouth. Where dual entrance is not available
 6 due to lack of capacity, BellSouth will so state in the Application
 7 Response. **If BellSouth states in the Application Response that**
 8 **dual entrance is not available due to lack of capacity,**
 9 **BellSouth will allow WorldCom, upon request, to inspect the**
 10 **entrance locations within ten (10) business days of such**
 11 **notification. In order to schedule said inspection within ten**
 12 **(10) business days, the request for an inspection must be**
 13 **received by BellSouth within five (5) business days of the**
 14 **notification of lack of capacity. Any request received by**
 15 **BellSouth later than five (5) business days after WorldCom's**
 16 **receipt of BellSouth's Application Response will be fulfilled**
 17 **within five (5) business days of the request. In addition,**
 18 **BellSouth shall notify WorldCom when capacity is available**
 19 **for a dual entrance, and such capacity shall be made available**
 20 **on a first come, first served basis.**
 21

22 **Q. WHAT ARE "DUAL ENTRANCE" FACILITIES?**

23 A. They are physically diverse entrances into a wire center; i.e., having dual
 24 entrances provides an opportunity to design redundancy and "survivability,"
 25 thereby preventing network failures (e.g., if there is a cable cut at one entrance
 26 facility, the overall service is not affected).

27 **Q. WHAT ARE THE PARTIES' POSITIONS ON THIS ISSUE?**

28 A. WorldCom's position is that it should be permitted to verify BellSouth's
 29 assertion that dual entrance facilities are not available. BellSouth should
 30 maintain a waiting list for entrance space and notify WorldCom when space
 31 becomes available. BellSouth's position is that WorldCom does not have the
 32 right to verify BellSouth's assertion that dual entrance facilities are not available.

33 **Q. PLEASE ELABORATE ON THE PARTIES' RESPECTIVE POSITIONS.**

1 A. WorldCom should be permitted to verify, through physical inspection, any
2 assertion that dual entrances are not available. This is a reasonable requirement,
3 particularly in light of the FCC's similar, but even more expansive rule, of
4 allowing new entrants to tour an incumbent's premises in order to verify an
5 assertion that physical collocation space is not available. 47 C.F.R. § 51.321(f);
6 *Advanced Services First Report and Order*, ¶ 57. WorldCom should similarly be
7 allowed to verify a claim that dual entrances are not available.

8 BellSouth admits it must provide at least two interconnection points at a
9 premises "at which there are at least two entry points for the incumbent LEC's
10 cable facilities, and at which space is available for new facilities in at least two of
11 those entry points," citing 47 C.F.R. § 51.323(d)(2). The right to inspect a
12 premises, in BellSouth's opinion, only applies when an incumbent LEC
13 "contends space for physical collocation is not available" in a given central
14 office. BellSouth claims it is not denying physical collocation when BellSouth
15 does not have dual entrance facilities available, and states it provides information
16 as to whether there is more than one entrance point for BellSouth's cable
17 facilities. In the event there is only one entrance point, according to BellSouth,
18 WorldCom can visually verify that another entrance point does not exist, which
19 does not require a formal tour. In the event that dual entrance points exist but
20 space is not available, BellSouth states it will provide documentation, upon
21 request and at WorldCom's expense, so that WorldCom can verify that no space
22 is available for new facilities.

23 **Q. WHAT IS THE FCC'S POSITION ON THIS MATTER?**

1 A. The FCC's regulations require BellSouth to provide dual entrances for the
2 facilities of collocators. See 47 C.F.R. § 51.323(d)(2). Other specific regulations
3 have been cited above. Since the FCC has declared that a denial of space triggers
4 a requirement that an inspection be permitted, it is a reasonable conclusion that a
5 denial of dual entrances, which permit the necessary diversity that an ALEC
6 needs, trigger the requirement of permitting verification of that claim.

7 **Q. SHOULD BELLSOUTH MAINTAIN A WAITING LIST OF NEW**
8 **ENTRANTS WHO HAVE BEEN DENIED ENTRANCE SPACE?**

9 A. Yes. BellSouth should also offer space to the new entrants when it becomes
10 available, based upon their position on the waiting list. BellSouth maintains that,
11 should the fact that there is no entrance space available be the reason for denying
12 a request for collocation, BellSouth will include that office on its space exhaust
13 list, as required. However, BellSouth states it should not be required to incur the
14 time and expense of maintaining a waiting list simply because dual entrance
15 facilities may not be available.

16 **Q. IS THAT A REASONABLE POSITION?**

17 A. No. Just as BellSouth must indicate those of its premises that are full, 47 C.F.R.
18 51.321 (h), and should maintain a waiting list with respect to collocation space
19 generally at a central office (see 2.2.3 of Attachment 5), it is reasonable to expect
20 BellSouth to maintain a waiting list for dual entrance facilities.

21 A visual inspection may be acceptable in many situations, and in those
22 situations WorldCom would not request a physical inspection inside the central
23 office. However, it is quite possible, as BellSouth would admit, that what would

1 need to be inspected is underground and thus undetectable from the street. In
 2 those instances the ALEC would need to arrange for an inspection of entrance
 3 locations, and the parties' Agreement should provide predictability and a clear
 4 expression of BellSouth's and WorldCom's respective rights, or risk delay and
 5 litigation. Moreover, since the lack of dual entrances, as a practical matter, will
 6 determine whether collocation is advisable at a given location, a waiting list is a
 7 reasonable and not overly burdensome requirement for the ILEC to maintain
 8 under the circumstances. This Commission has the authority to require ILECs to
 9 engage in practices that are in addition to the minimal standards that the federal
 10 rules require, and what WorldCom proposes is certainly consistent with those
 11 rules.

12 **ISSUE 65**

13
 14 *What information must BellSouth provide to MCIW*
 15 *regarding vendor certification? (Attachment 5, Section*
 16 *7.22.1.)*
 17

18 **Q. WHAT IS THE LANGUAGE IN DISPUTE CONCERNING THIS ISSUE?**

19 A. WorldCom has proposed the following language, which BellSouth has not
 20 accepted:

21 7.22.1 BellSouth shall provide WorldCom with a list of
 22 BellSouth certified vendors for performance of work required or
 23 permitted under this Agreement. BellSouth shall indicate on the
 24 list what types of work each vendor is certified to perform.
 25 BellSouth shall provide WorldCom with the specifications and
 26 training requirements necessary for a vendor to become BellSouth
 27 certified, and such specifications and training requirements shall
 28 be the same that BellSouth uses to certify its own vendors. If
 29 WorldCom submits documentation to BellSouth that a proposed
 30 vendor, including WorldCom, meets the specifications and
 31 training requirements, BellSouth shall add such vendor to the list
 32 of BellSouth certified vendors. BellSouth shall provide

1 WorldCom updates to the list of BellSouth certified vendors as
 2 vendors are added or removed from the list. WorldCom's
 3 BellSouth Certified Vendor shall bill WorldCom directly for all
 4 work performed for WorldCom pursuant to this Attachment and
 5 BellSouth shall have no liability for nor responsibility to pay such
 6 charges imposed by the Certified Vendor.
 7

8 **Q. WHAT ARE THE PARTIES' POSITIONS ON THIS ISSUE?**

9 A. WorldCom's position is that BellSouth must provide WorldCom with sufficient
 10 information on the specifications and training requirements for a vendor to
 11 become BellSouth certified so that WorldCom can train its proposed vendors.
 12 WorldCom has no problem with adhering to reasonable safety requirements,
 13 which should be the focus of certification requirements. Additional requirements
 14 – for example, that WorldCom or its vendors must perform installation work on
 15 behalf of BellSouth, or for a separate “contract” that BellSouth has proposed
 16 WorldCom's vendors to enter into with it, which I understand BellSouth has
 17 brought up in negotiations - are unreasonable and should not be sanctioned by the
 18 Commission.

19 BellSouth maintains that it provides WorldCom with the same
 20 information it provides its vendors concerning the vendor certification process.

21 **Q. PLEASE EXPLAIN THE CONTEXT OF THIS ISSUE.**

22 A. BellSouth must allow WorldCom to use its own vendors to provision and
 23 maintain its collocation space. BellSouth may approve the criteria by which
 24 these vendors are certified to perform such work, under 47 C.F.R. § 51.323(j),
 25 but per that section it may not “unreasonably withhold approval of contractors.”
 26 BellSouth is permitted to approve vendors hired by WorldCom to construct its

1 collocation space, provided that such approval is based on the same criteria that
2 BellSouth uses in approving vendors for its own purposes.

3 **Q. WHAT HAS BELLSOUTH PROVIDED WORLDCOM?**

4 A. BellSouth has provided WorldCom with brochures that generally describe what
5 BellSouth's vendors are required to observe, for purposes of certification.

6 **Q: WHAT IS THE PROBLEM WITH THIS RESPONSE?**

7 A: It is reasonable and necessary that the Commission act, consistently with the
8 national rules, to require BellSouth to provide the information needed for
9 certification. Although the brochures may be "precisely the same information
10 that BellSouth provides its vendors", as BellSouth insists, that information is not
11 what BellSouth itself may require as part of its approval process. It is not
12 sufficient or reasonable, as a matter of contract between two competitors, to
13 expect that WorldCom content itself in having been invited informally to
14 "contact the BellSouth vendor certification group for further information." There
15 must be contractual assurances that the same information that BellSouth uses to
16 certify its vendors will, in fact, be provided to WorldCom. Otherwise, there is
17 introduced into the interconnection agreement the opportunity for delay and
18 further litigation. It is reasonable and necessary that BellSouth be required as a
19 matter of contract to provide the information needed for certification.

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ISSUE 66

*What industry guidelines or practices should govern
collocation? (Attachment 5, Section 9.)*

25 **Q. WITH WHAT STANDARDS DOES WORLDCOM WANT BELLSOUTH**
26 **TO COMPLY?**

1 A. WorldCom wants BellSouth to comply with the following standards it has
2 proposed in Attachment 5. (Since the Petition was filed, WorldCom has updated
3 the references in Section 9.4 and 9.10 to incorporate more current standards).

4 9.1 Institute of Electrical and Electronics Engineers (IEEE)
5 Standard 383, IEEE Standard for Type Test of Class 1 E Electric
6 Cables, Field Splices, and Connections for Nuclear Power
7 Generating Stations.

8
9 9.2 National Electrical Code (NEC) latest issue.

10
11 9.3 GR-1089-CORE Electromagnetic Compatibility and
12 Electrical Safety – General Criteria for Network
13 Telecommunications Equipment .

14
15 9.4 GR-63-CORE Network Equipment Building System (NEBS)
16 Requirements: Physical Protection.

17
18 9.5 TR-EOP-000151, Generic Requirements for -24, -48, -130,
19 and -140 Volt Central Office Power Plant Rectifiers, Issue 1
20 (Bellcore, May 1985).

21
22 9.6 TR-EOP-000232, Generic Requirements for Lead-Acid
23 Storage Batteries, Issue 1 (Bellcore, June 1985).

24
25 9.7 TR-NWT-000154, Generic Requirements for -24,- 48, -130,
26 and -140 Volt Central Office Power Plant Control and
27 Distribution Equipment, Issue 2 (Bellcore, January 1992).

28
29 9.8 TR-NWT-000295, Isolated Ground Planes: Definition and
30 Application to Telephone Central Offices, Issue 2 (Bellcore, July
31 1992).

32
33 9.9 TR-NWT-000840, Supplier Support Generic Requirements
34 (SSGR), (A Module of LSSGR, FR-NWT-000064), Issue 1
35 (Bellcore, December 1991).

36
37 9.10 GR-1275, issue 01, March 1998.

38
39 9.11 Underwriters' Laboratories Standard, UL 94.
40

1 **Q. WHY DOES WORLDCOM WANT BELLSOUTH TO RECOGNIZE**
2 **THESE STANDARDS IN THE PARTIES' INTERCONNECTION**
3 **AGREEMENT EXPLICITLY?**

4 A. These standards, if incorporated into the agreement, would reduce uncertainty
5 and give the parties' clear guidance with respect to the issues embodied by the
6 standards.

7 **Q. WHAT ARE THOSE STANDARDS?**

8 A. These are recognized industry standards with respect to the matters described:
9 equipment, power and the like. Collocation is of critical importance in the
10 development of competition in local exchange service. There is no reason why
11 collocation, in the wake of the Telecommunications Act and the FCC's orders
12 respecting it, cannot or should not be made predictable, specific and "user
13 friendly." See 47 C.F.R. 51.323 (b); *Advances Services Order*, ¶ 23. BellSouth
14 has agreed to the inclusion of industry guidelines elsewhere in the Agreement,
15 and it is reasonable that these guidelines apply to collocation.

16 **Q. DOES BELLSOUTH DISAGREE THAT ANY OF THESE STANDARDS**
17 **REFLECT GENERALLY ACCEPTED INDUSTRY PRACTICES?**

18 A. BellSouth has cited only two standards with which it takes issue. As
19 noted above, WorldCom has updated the list of standards to replace these
20 two items with more current references. Telcordia's NEBS Standard TR-
21 EOP-000063 AND TR-NWT-001275 have been replaced by GR-63,
22 Issue 01, Oct 1995 and GR-1275, Issue 01, REV01, Mar 1998.

1 GR-63 identifies the minimum spatial and environmental criteria
2 for equipment used in a telecommunication network. The environmental
3 criteria covers temperature and humidity, fire resistance, earthquake and
4 vibration, airborne contaminants, acoustic noise, and illumination. The
5 spatial section includes criteria for equipment and associated cable
6 distribution systems. GR-1275 provides the Telcordia view of
7 requirements associated with the support that installation suppliers are
8 expected to provide with their services. These services might be
9 associated with the installation of new or expanded equipment as well as
10 the removal of existing equipment.

11 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

12 **A.** At this time, yes.

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1 Q. PLEASE STATE YOUR NAME.

2 A. Michael S. Messina.

3 Q. DID YOU PREVIOUSLY PROVIDE TESTIMONY ON BEHALF OF
4 WORLDCOM, INC. IN THIS PROCEEDING?

5 A. Yes. Since that time, Issue 57 has been resolved.

6 Q. WHAT IS THE PURPOSE OF YOUR PRESENT TESTIMONY?

7 A. The purpose of my testimony is to respond to the testimony of BellSouth's
8 witnesses with respect to issues 5, 8, 11, 15, 19, 54, 56, 59-61, 63-66 and 66D.
9 These issues involve certain unbundled network elements and operator
10 services/directory assistance ("OS/DA") issues, plus the remaining collocation
11 issues in this arbitration between MCImetro Access Transmission Services, LLC
12 ("MCIIm") and MCI WorldCom Communications, Inc. ("MWC"), both
13 subsidiaries of WorldCom (and which I shall refer to collectively as
14 "WorldCom"), and BellSouth Telecommunications, Inc. ("BellSouth").

15 **ISSUE 5**

16 *Should BellSouth be required to provide OS/DA as a UNE? (Attachment*
17 *3, Section 2.8.)*
18

19 Q. WOULD THE LINE CLASS CODE METHOD DESCRIBED BY MR.
20 MILNER AT PAGES 4-6 OF HIS DIRECT TESTIMONY PROVIDE
21 EFFECTIVE SELECTIVE ROUTING TO WORLDCOM?

22 A. No. Mr. Milner acknowledges that the line class code method he describes
23 requires a separate trunk group for each end office. This method would require
24 WorldCom to use an overlay network to process operator service and directory

1 assistance (“OS/DA”) traffic, which would be inefficient and prohibitively
2 expensive. This is so in part because OS/DA traffic volume tends to be low, so
3 an overlay network would require leasing a large number of trunks for relatively
4 little traffic.

5 **Q. WOULD BELLSOUTH’S AIN HUBBING PROPOSAL PROVIDE**
6 **EFFECTIVE SELECTIVE ROUTING?**

7 A. I do not believe so. At page 6 of his Direct Testimony, Mr. Milner states that
8 AIN hubbing would allow the carriage of customized routing traffic over
9 common transport between the end office and the AIN hub switch. Even if this
10 statement is accurate, there still are problems with the AIN hubbing solution.
11 For example, each ALEC still would be required to lease dedicated transport
12 from each AIN hub to the ALEC’s chosen OS/DA platform. Depending on the
13 number of hubs, this proposal still could be quite inefficient for the low levels of
14 traffic involved.

15 **Q. WHAT IS THE CURRENT STATUS OF THIS ISSUE?**

16 A. As noted in my Direct Testimony, WorldCom has tested an OS/DA “pseudo-
17 code” selective routing method proposed by BellSouth that involves routing
18 OS/DA traffic to BellSouth’s access tandem (in most cases) and then to
19 WorldCom’s OS/DA platform using a compatible signaling protocol. This
20 preliminary testing produced positive results, but a number of issues remain to
21 be resolved. These issues include the following: (a) whether BellSouth should
22 provide transport from the end office to the tandem using common transport, as
23 WorldCom requests; (b) whether BellSouth must allow WorldCom to permit

1 such selective routing to be ordered as part of an electronic service order; (c)
 2 whether the pseudo-code method can be applied successfully in a commercial
 3 environment; and (d) whether BellSouth prices for such selective routing are
 4 appropriate. Until at least these issues are resolved satisfactorily, BellSouth
 5 should be required to provide OS/DA as an unbundled network element.

6 **ISSUE 8**

7 *Should UNE specifications include non-industry standard, BellSouth*
 8 *proprietary specifications? (Attachment 3, Appendix 1; Attachment 3,*
 9 *Sections 4.3-4.14.)*
 10

11 **Q. MR. MILNER HAS ALLEGED THAT WORLDCOM WANTS**
 12 **BELLSOUTH TO COMMIT TO AN AS-YET UNDEFINED SET OF**
 13 **STANDARDS FOR UNBUNDLED LOOPS. IS THIS TRUE?**

14 A. No. WorldCom proposed the national industry standard loop specifications.
 15 Those specifications are contained in Appendix 1 to Attachment 3 of the
 16 Interconnection Agreement, which is not in dispute here.

17 **Q. MR. MILNER STATES THAT BELLSOUTH OFFERED ITS**
 18 **PROPRIETARY LOOP SPECIFICATIONS BECAUSE "THERE ARE**
 19 **NO INDUSTRY STANDARDS AT PRESENT FOR EVERY UNE." IS**
 20 **THIS A RELEVANT ARGUMENT?**

21 A. Not at all. BellSouth's proposal does not purport to address "every UNE" or
 22 "those UNEs for which no industry standard exists." Exhibit No. WKM-1, the
 23 document in question, is labeled "Unbundled Local Loop -- Technical
 24 Specifications." Local loops have been part of the public switched network
 25 since the earliest days of the telephone, and industry standard specifications

1 already are in place for local loops. The same specifications that apply to local
 2 loops when they are used by BellSouth as part of its network also apply when
 3 those same loops are unbundled for ALECs. Thus, there is no need for
 4 BellSouth to introduce any proprietary specifications with regard to loops.

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ISSUE 11

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Should WorldCom access the feeder distribution interface directly or should BellSouth be permitted to introduce an intermediate demarcation device? (Attachment 3, Sections 4.5.1.1.1, 4.5.1.2.3.)

11

Q. HAS BELLSOUTH MET ITS BURDEN OF PROVING THAT DIRECT ACCESS TO THE FDI IS NOT TECHNICALLY FEASIBLE?

12

13

A. No. BellSouth attempts to set up a discriminatory regime of access to subloop elements. While BellSouth would be permitted to have direct access to the feeder distribution interface (“FDI”) with the turn of a key, WorldCom would be required to coordinate its access with BellSouth. Under BellSouth’s proposal, WorldCom would be required to have BellSouth send a technician to the FDI to connect subloop facilities to an access terminal at WorldCom’s expense. Access to the FDI by WorldCom thus would be substantially more expensive and cumbersome than for BellSouth.

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Mr. Milner attempts to justify this discriminatory approach by alleging there might be possible security issues and problems with record keeping, but such concerns should be addressed in a less draconian way. For example, BellSouth’s concerns about security can be addressed by requiring WorldCom technicians to undertake appropriate training and by holding WorldCom

1 responsible for any problems that might occur as a result of its technicians'
 2 errors. Likewise, WorldCom's technicians could be required to follow
 3 reasonable administrative procedures as a condition to having direct access to
 4 the FDI. WorldCom should not be denied direct access to the FDI based on
 5 speculation that there might be problems if direct access were granted. Rather,
 6 the Commission should foster competition by allowing direct access provided
 7 that WorldCom technicians behave responsibly.

8

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ISSUE 15

10 *When an WorldCom customer served via the UNE-platform makes a*
 11 *directory assistance or operator call, must the ANI-II digits be*
 12 *transmitted to WorldCom via Feature Group D signaling from the point*
 13 *of origination? (Attachment 3, Section 7.2.1.16.)*
 14

15 **Q. HOW DO YOU RESPOND TO MR. MILNER'S TESTIMONY ON THE**
 16 **ANI-II DIGIT ISSUE?**

17 **A.** Mr. Milner appears to acknowledge that BellSouth's line class code method is
 18 capable of passing ANI-II digits unchanged. There thus appears to be no reason
 19 why BellSouth should not agree to language substantially similar to what
 20 WorldCom has proposed.

21

22

ISSUE 19

23 *How should BellSouth be required to route OS/DA traffic to WorldCom's*
 24 *operator services and directory assistance platforms? (Attachment 3,*
 25 *Sections 7.3.2, 7.3.2.2, 7.3.2.3, 7.6.4, 14.2.1.5. and 14.2.8; Attachment 9,*
 26 *Sections 2.8.1, 2.8.1.1, 3.2.1.1, 3.5.2 and 3.5.2.1.)*
 27

1 **Q. MR. MILNER CONTENDS BELLSOUTH IS NOT OBLIGATED TO**
2 **PROVIDE OS/DA TRAFFIC OVER SHARED TRANSPORT VIA A**
3 **BELLSOUTH TANDEM, OR OVER DEDICATED TRUNKS THAT CAN**
4 **BE OVERFLOWED TO SHARED TRANSPORT. HOW DO YOU**
5 **RESPOND?**

6 A. Mr. Milner argues BellSouth has no obligation to provide OS/DA traffic over
7 shared transport, or over dedicated transport on an overflow basis, because
8 BellSouth routes its own traffic to a BellSouth TOPS tandem directly. This
9 argument ignores the FCC's rule (47 C.F.R. 51.319(d)(2)(B)) requiring
10 BellSouth to provide all technically feasible transmission facilities. This rule
11 enables WorldCom to determine how its traffic will be transported, so long as
12 technically feasible. Mr. Milner does not claim that shared transport and
13 overflow arrangements are not technically feasible. Indeed, the testing done to
14 date on BellSouth's proposed OS/DA method appears to demonstrate that what
15 WorldCom is requesting is technically feasible. Accordingly, BellSouth should
16 be required to provide such transport.

17 **Q. IS BELLSOUTH REFUSING TO ROUTE OS/DA TRAFFIC AS**
18 **WORLDCOM IS REQUESTING?**

19 A. That is not entirely clear. In his testimony on Issue 15, Mr. Milner states that
20 BellSouth is willing to incorporate into the interconnection agreement methods
21 that would involve BellSouth providing OS/DA traffic via its access tandem to
22 WorldCom's Feature Group D trunks. This statement is consistent with the
23 OS/DA routing method that is being tested by WorldCom. WorldCom certainly

1 hopes that this statement means that BellSouth is willing to route OS/DA traffic
2 as WorldCom has requested, regardless of BellSouth's position that it is not
3 obligated to do so.

4 **ISSUE 54**

5 *Should security charges be assessed for collocation in offices with existing card*
6 *key systems, and how should security costs be allocated in central offices where*
7 *new card key systems are being installed?*
8

9 **Q. BELLSOUTH STATES THAT THIS ISSUE HAS BEEN RESOLVED. IS**
10 **THAT YOUR UNDERSTANDING?**

11 **A.** No. To the best of my knowledge, this issue has not been resolved.

12 **Q. WHAT IS YOUR CONCERN WITH BELLSOUTH'S POSITION?**

13 **A.** Collocation is extremely important and even when true cost based rates are
14 applied, is extremely expensive. A pro-rata cost-based rate applied on the basis
15 of square feet occupied allows BellSouth to recover the costs of a security
16 system but prevents BellSouth from realizing a windfall. Carriers with more
17 space (and more equipment) pay more for security and BellSouth does not
18 recover for more than the single system it has in place. This is consistent with
19 the Commission's order in the generic collocation docket and WorldCom is
20 willing to include language consistent with that order.

21 **ISSUE 56**

22 *Should BellSouth be required to provide DC power to adjacent collocation*
23 *space? (Attachment 5, section 3.4.)*
24

25 **Q. PLEASE BRIEFLY REITERATE WORLDCOM'S POSITION**
26 **WITH REGARD TO THIS ISSUE.**

1 A. Collocated equipment operates using DC power. BellSouth must provide DC
2 power to collocators within its central offices. There is no legitimate reason
3 why BellSouth should categorically deny DC power to adjacent collocation
4 space.

5 BellSouth has the motive and the opportunity to discriminate against
6 ALECs in this situation. Adjacent collocation space does not have to be
7 employed for collocation unless space in BellSouth's central office is
8 legitimately exhausted. If BellSouth categorically refuses to provide DC power,
9 ALECs will incur significant costs to accommodate AC power, provided by
10 BellSouth or from some other source, and to convert that power to DC. The
11 regulations require BellSouth to provide power and physical collocation services
12 to the adjacent collocation space "subject to the *same* nondiscrimination
13 requirements as applicable to any other physical collocation arrangement." 47
14 C.F.R § 51.323 (k)(3) (emphasis added).

15 **Q. WHAT IS BELLSOUTH'S RESPONSE TO WORLDCOM'S POSITION?**

16 A. BellSouth acknowledges that the FCC Rule 51.323(k)(3) requires it to provide
17 power to an adjacent collocation arrangement, but asserts that the rule does not
18 specify the type of power, leaving BellSouth free to offer only AC power that
19 will then have to be converted to DC power by the collocator. BellSouth claims
20 that this is the same type of power arrangement that it uses at remote terminals
21 throughout its nine-state region.

22 **Q. WHAT IS YOUR REPLY TO BELLSOUTH'S POSITION?**

1 A. BellSouth's contention that the FCC rule permits it to provide only AC power is
2 incorrect. As I stated in my direct testimony, Paragraph 44 of the *Advanced*
3 *Services First Report and Order* requires BellSouth to provide power to adjacent
4 collocation space "subject to the same nondiscrimination requirements as
5 traditional collocation arrangements." BellSouth clearly is required to provide
6 DC power to traditional collocation arrangements; it is therefore required by the
7 nondiscrimination standard to provide that power to adjacent collocation
8 arrangements as well. BellSouth's analogy to remote terminals is inapplicable to
9 situations where WorldCom is collocating in space adjacent to a central office,
10 and not interconnecting at a remote terminal. BellSouth never even really
11 responds to WorldCom's proposal that WorldCom will provide the cabling to
12 BellSouth's power distribution board, and that BellSouth would provide the
13 conduit to the adjacent collocation space.

14 What BellSouth really is telling the Commission here is that adjacent
15 collocation is technically infeasible and that it has no intentions of provisioning
16 it – despite the clear mandate of the *Advanced Services Order*.

17 **Q. DOES BELLSOUTH CITE ANY STATE PUBLIC SERVICE**
18 **COMMISSION ORDERS THAT SUPPORT ITS POSITION?**

19 A. No. Moreover, BellSouth doesn't acknowledge the decisions that support
20 WorldCom's position, or the presumptive validity that the *Advanced Services*
21 *Order* gives to those decisions. This Commission's *Collocation Order* held that
22 BellSouth must provide physical collocation services to an adjacent collocator to
23 the extent technically feasible. There is nothing in BellSouth's testimony that

1 addresses, much less demonstrates, any technical infeasibility in the provision of
2 DC power.

3 Further, the Texas Public Utilities Commission (“Texas PUC”)
4 specifically ordered that DC power must be made available to adjacent
5 collocation space. Order No. 54, Investigation of Southwestern Bell Telephone
6 Company’s Entry into the Texas InterLATA Telecommunications Market,
7 Public Utility Commission of Texas, Project No. 16251. The FCC has cited
8 with approval the Texas PUC, in particular, for its efforts with regard to
9 collocation. *Advanced Services Order*, at ¶ 55.

10

11

ISSUE 59

12 *Should collocation space be considered complete before BellSouth has provided*
13 *WorldCom with cable facility assignments (“CFAs”)? (Attachment 5, Section*
14 *7.15.2.)*
15

16 **Q. WHAT IS WORLDCOM’S POSITION IN THIS REGARD?**

17 A. Space is unusable unless we have been provided with cable facility assignments
18 (“CFAs”). WorldCom contends that BellSouth should provide CFAs before the
19 space is considered “completed.”

20 **Q. WHAT IS BELLSOUTH’S POSITION?**

21 A. It maintains that collocation space is complete once all construction work done
22 by BellSouth or BellSouth's certified vendors is “complete,” at which point
23 BellSouth will render a final bill for construction to the ALEC and start billing it
24 recurring charges for occupying the space. Despite the fact that CFAs are

1 necessary for an ALEC to order service, BellSouth maintains that it need not
2 provide CFAs before it starts charging ALECs.

3 BellSouth apparently worries that an ALEC will not finish its own work,
4 and thus that BellSouth might be unable to charge the ALEC until it advises as
5 to frame locations and designations of cables.

6 **Q. WHAT IS YOUR RESPONSE TO BELLSOUTH'S STATEMENTS?**

7 A. BellSouth is essentially suggesting a "Catch 22" scenario; i.e., BellSouth cannot
8 furnish CFAs until the ALEC is ready to connect, while the ALEC cannot
9 connect without CFAs. The simple fact, however, is that WorldCom cannot
10 attach its equipment to BellSouth's cables without CFAs. CFAs should be made
11 available and assigned to WorldCom as part of the response to our initial request
12 for collocation. When we actually install the equipment has no bearing on
13 resolution of this issue. Without CFAs we simply cannot use the space, and thus
14 it cannot be considered "complete."

15

16 **ISSUE 60**

17 *Should BellSouth provide WorldCom with specified collocation information at*
18 *the joint planning meeting? (Attachment 5, sections 7.17.2, 7.17.4 and 7.17.10.)*
19

20 **Q. WHAT IS BELLSOUTH'S POSITION ON THIS ISSUE?**

21 A. BellSouth concedes it is willing to provide the exact cable location termination
22 requirements at the joint planning meeting, or within thirty days thereafter.
23 BellSouth states that other information which WorldCom seeks is not needed.

1 **Q. WHY DOES BELLSOUTH REFUSE TO SUPPLY INFORMATION**
2 **ABOUT TECHNICALLY FEASIBLE POINTS OF**
3 **INTERCONNECTION?**

4 A. Despite the fact that the identification of demarcation points is key information
5 for a collocator (as well as BellSouth) to know, to decide where and how it
6 wishes to interconnect, BellSouth claims that WorldCom does not need this
7 information because it does not have the right to designate the demarcation point
8 within BellSouth's central office.

9 **Q. WHAT IS YOUR RESPONSE?**

10 A. In the *Advanced Services Order* the FCC adopted collocation rules to serve as
11 minimum standards. States are thereby permitted to adopt additional
12 requirements, *Id.* at ¶ 8, which can greatly assist in the development of
13 competition.

14 WorldCom wants predictable, specific provisions for ordering and
15 provisioning collocation space. BellSouth, however, essentially advocates an
16 individual case basis (“ICB”) approach that would subject ALECs to
17 uncertainty, expense and delay. We seek to reduce, not to expand, uncertainty
18 and opportunities for delay and litigation. Identification of key information,
19 like power connectivity information, including size and number of power
20 feeders, the exact cable type and termination requirements for the WorldCom
21 provided point of termination (“POT”) bays and identification of technically
22 feasible demarcation points, allows choices for ordering and provisioning
23 collocation space, much like the tariff process that exists for other services

1 today, and, more specifically, enables an ALEC to begin its design plans for
2 collocation space. Unless the ALEC has the requested information, then it will
3 not know how to complete collocation.

4 With regard to information on technically feasible demarcation points,
5 BellSouth is simply incorrect. As I stated in my Direct Testimony, the FCC's
6 orders and rules contemplate that WorldCom will choose the point of
7 interconnection. Nothing in the D.C. Circuit's decision cited by Mr. Milner
8 affects the ALEC's right to designate the demarcation point.

9

10

ISSUE 61

11

*What rates should apply to the provision of DC power to WorldCom's
12 collocation space? (Attachment 5, section 7.18.6).*

13

14

Q. WHAT DOES BELLSOUTH CONTEND?

15

A. BellSouth concedes that the rate for DC power should be calculated on a per
16 ampere basis, but argues that WorldCom should not be assessed based on what
17 amperes WorldCom uses. Instead, BellSouth would engraft additional language
18 onto the Commission-established rate structure, as well as onto the original
19 interconnection agreement between WorldCom and BellSouth. BellSouth
20 would require that the charges for power, which are assessed per ampere per
21 month, must be “based upon the certified vendor engineered and installed power
22 feed fused ampere capacity” (emphasis added). BellSouth's Collocation
23 Handbook, which is not part of the original interconnection agreement, seeks to
24 assess ALECs based on the power feed fused ampere capacity that is installed,
25 without measuring power consumption.

1 **Q. WHAT IS YOUR RESPONSE?**

2 A. BellSouth's proposal is inconsistent with the approach taken by the Commission
3 in establishing rates, and would allow BellSouth to recover from WorldCom
4 more than WorldCom's share of the costs. In contrast, WorldCom's proposal is
5 based on the parties' original interconnection agreement, which was approved
6 by the Commission.

7 **ISSUE 63**

8 *Is WorldCom entitled to use any technically feasible entrance cable,*
9 *including copper facilities? (Attachment 5, section 7.21.1.)*
10

11 **Q. WHAT ARE THE PARTIES' POSITIONS ON THIS ISSUE?**

12 A. WorldCom's position is that it is entitled to use any technically feasible entrance
13 cable, including copper facilities. BellSouth concedes that "some" copper
14 cables enter BellSouth's central offices and, therefore, that copper entrance
15 facility is technically feasible, but insists nonetheless that WorldCom should be
16 restricted to the use of fiber entrance facilities only, except with respect to
17 adjacent space collocation arrangements. The parties agree that the FCC's
18 regulations specifically permit collocators to use copper cable if such
19 interconnection is first approved by the state commission.

20 **Q. WHAT REASON DOES BELLSOUTH GIVE FOR OPPOSING THE USE**
21 **OF COPPER ENTRANCE FACILITIES?**

22 A. BellSouth opposes copper entrance facilities since they "accelerate the exhaust
23 of entrance facilities." In its order permitting the extension of copper cable to
24 adjacent collocation facilities, the Florida Commission took into account the

1 consideration that “entrance facilities have a certain capacity per central office
2 and that allowing copper cabling could accelerate the entrance facility exhaust
3 interval,” and still issued its order permitting copper entrance facilities.

4 **Q. HOW SHOULD THE COMMISSION RESOLVE THIS ISSUE?**

5 A. As a matter of parity and nondiscriminatory treatment, WorldCom is clearly
6 entitled to bring copper cable into the central office. Copper entrance ducts
7 merely present another factor in considering what space and facilities are
8 available for collocation. Although ILECs should be allowed to reserve some
9 space (central office or entrance ducts) for future needs, any such reservation
10 should be supported on a competitively neutral basis, with forecasts and growth
11 projections, and the ALEC should have the right to review what space exists and
12 what future requirements an ILEC has when the latter contends there is a “near
13 exhaust” situation.

14 **ISSUE 64**

15 *Is WorldCom entitled to verify BellSouth’s assertion, when made, that*
16 *dual entrance facilities are not available? Should BellSouth maintain a*
17 *waiting list for entrance space and notify WorldCom when space*
18 *becomes available? (Attachment 5, section 7.21.2.)*
19

20 **Q. BELLSOUTH MAINTAINS THAT A VISUAL INSPECTION IS ALL**
21 **THAT IS REQUIRED TO VERIFY THAT DUAL ENTRANCES DO NOT**
22 **EXIST, AND THAT CONSEQUENTLY NEITHER A TOUR NOR A**
23 **WAITING LIST IS NECESSARY. HOW DO YOU RESPOND?**

24 A. A visual inspection may be acceptable in many situations, and in those
25 situations WorldCom would not request a tour; however, it is quite possible that

1 A. BellSouth misses the point. Although the brochures may be “precisely the same
 2 information that BellSouth provides its vendors,” as BellSouth insists, the
 3 information that is not what BellSouth itself may require as part of its approval
 4 process. It is not sufficient or reasonable, as a matter of contract between two
 5 competitors, to expect that WorldCom content itself in having been invited
 6 informally to “contact the BellSouth vendor certification group for further
 7 information.” There must be contractual assurances that the same information
 8 that BellSouth uses to certify its vendors will, in fact, be provided WorldCom.
 9 Otherwise, there is introduced into the interconnection agreement the
 10 opportunity for delay and further litigation. It is reasonable and necessary that
 11 BellSouth be required as a matter of contract to provide the information needed
 12 for certification.

13

14

ISSUE 66

15

What industry guidelines or practices should govern collocation?

16

(Attachment 5, Section 9.)

17

18 **Q. WHAT STANDARDS DOES BELLSOUTH AGREE ARE APPLICABLE**
 19 **WITH GENERALLY ACCEPTED INDUSTRY PRACTICES?**

20 A. BellSouth no longer appears to take issue with the standards WorldCom has
 21 proposed. Instead, Mr. Milner says only that BellSouth should not be held
 22 responsible if ALECs that are collocated in its central offices do not comply
 23 with such standards.

1 Q. IS WORLDCOM ASKING THAT BELL SOUTH UNDERTAKE THE
2 RISK OF NON-COMPLIANCE WITH THESE STANDARDS BY OTHER
3 ENTITIES?

4 A. No, WorldCom is asking that BellSouth comply with industry standards with
5 respect to matters within its responsibility or under its control.

6 **ISSUE 66D**

7 *What provisions should apply to transitions from virtual collocation to*
8 *cageless physical collocation in cases where no physical changes are*
9 *required? (Attachment 5, Section 2.2.4)*

10
11 Q. WHAT IS YOUR UNDERSTANDING OF THE STATUS OF THIS
12 ISSUE?

13 A. Although Mr. Milner addresses this issue in his testimony, my
14 understanding is that this issue has been resolved since BellSouth accepted
15 WorldCom's language on June 20, 2000.

16
17 Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?

18 A. At this time, yes.

19

1 BY MR. MELSON:

2 Q And you had no exhibits attached to either piece
3 of testimony, is that correct?

4 A That's correct.

5 Q And I believe that two of the issues covered by
6 your testimony have subsequently been resolved, Issues 54
7 and 57, is that correct?

8 A That is correct.

9 Q And, finally, one other preliminary question.
10 Could you -- there is not complete consistency in the way
11 that various witnesses used the term shared transport and
12 common transport. Could you tell the Commission what you
13 mean by the term shared transport as it is used in your
14 prefiled testimony?

15 A Yes. The meaning that I have for that is the
16 existing transport, the existing trunking, the trunking
17 that exists today between BellSouth's end office switches
18 and their tandem switches. The term shared implies that
19 it would be available for BellSouth and any CLEC doing
20 business.

21 Q And is that transport that other folks sometimes
22 refer to as common transport?

23 A Yes. It is also referred to as common
24 transport.

25 Q All right. Would you please summarize your

1 testimony for the Commission.

2 A Yes. Good morning, Commissioners. My prefiled
3 testimony covers several issues or areas of dispute. The
4 first of these, Issues 5, 15, and 19 involve the selective
5 or customized routing of operator services and directory
6 assistance calls -- we refer to this as OS/DA -- from
7 WorldCom's customers to our OS/DA platform.

8 This issue involves the following situation.
9 WorldCom leases switching from BellSouth as part of the
10 loop port combination or what we call the UNE platform.
11 This is necessary for providing local exchange service in
12 the residential market.

13 Just as BellSouth's customers have the right to
14 reach BellSouth's operators, our customers have the right
15 to reach our operators for assistance. BellSouth proposes
16 that our customers reach our operators by establishing new
17 trunking from BellSouth's end office to a BellSouth tandem
18 switch, or what is called a hub, from which it would be
19 transported to our platform.

20 In a situation where there are relatively few
21 WorldCom customers, BellSouth would require trunking from
22 each of its switches being used by us. Even if we had
23 only one customer for a BellSouth switch, we would have to
24 establish trunking from that switch to our platform or to
25 a BellSouth tandem.

1 For someone newly entering the residential
2 market, this architecture is inefficient. What BellSouth
3 proposes would effectively prevent our customers from
4 reaching our operators. What we propose is to use common
5 transport to the BellSouth tandem. From there we can
6 aggregate our traffic onto a dedicated trunk to our
7 platform. Hence, we propose what the FCC requires.
8 BellSouth must accommodate signaling technologies,
9 including ours, or until or unless that occurs BellSouth
10 must unbundle its OS/DA as a network element.

11 With Issue 8, BellSouth seeks to impose its
12 proprietary standards for its network on those elements
13 that we order from it. The process used implementing
14 these standards is proprietary. BellSouth's standards
15 moreover are not merely technical and would place
16 restrictions against a CLEC. Network facilities, however,
17 such as loops are subject to national standards. CLECs
18 base their network requirements on those standards. So
19 should BellSouth. I understand BellSouth's desire to
20 protect itself from frivolous litigation, but BellSouth's
21 concerns should be dealt with elsewhere.

22 I am also here to testify on collocation issues.
23 Issues 60, 61, 63, 64, and 65 include the information
24 BellSouth provides at the joint planning meeting, entrance
25 facility and vendor certification information. These are

1 critical issues impacting when WorldCom can begin its own
2 detailed engineering and installation work.

3 Additional collocation Issues 56 and 59 include
4 the question of when a collocation is complete and the
5 question of DC power to adjacent collocations. A
6 collocator cannot order service to a collocation until
7 BellSouth has provided the cable facility assignment, or
8 CFA. CFA is the name or designation that BellSouth gives
9 to the tie cable placed between a collocation and the
10 demarcation point. It stands to reason that the space is
11 not usable or complete until BellSouth has provided the
12 CFA.

13 BellSouth's position refusing to provide DC
14 power to an adjacent collocation unnecessarily imposes
15 additional costs and equipment requirements on a CLEC.
16 There is no technical reason why DC power cannot be
17 provided to a collocation arrangement adjacent to a
18 BellSouth central office. We believe that favorable
19 Commission rulings on these issues will benefit not only
20 WorldCom and other CLECs, but will also help to advance
21 competition in the State of Florida.

22 This completes my summary.

23 MR. MELSON: Mr. Messina is tendered for cross.

24 COMMISSIONER JACOBS: Before you begin, in your
25 testimony you indicate that you made some progress on the

1 OS/DA issue. I assume that that is still pending,
2 however, though; you have not resolved all of your issues
3 regarding that?

4 THE WITNESS: There has been some preliminary
5 testing. There is progress made, but there are still some
6 open issues there.

7 COMMISSIONER JACOBS: Okay. Mr. Goggin, you may
8 proceed.

9 MR. GOGGIN: Thank you, Commissioner.

10 (Transcript continues in sequence in Volume 2.)

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STATE OF FLORIDA)

CERTIFICATE OF REPORTER

COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting Official Commission Reporter, do hereby certify that the Hearing in Docket No. 000649-TP was heard by the Florida Public Service Commission at the time and place herein stated.

It is further certified that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript, consisting of 179 pages, Volume 1, constitutes a true transcription of my notes of said proceedings and the insertion of the prescribed prefiled testimony of the witnesses.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 19TH DAY OF OCTOBER, 2000.



JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting
(850) 413-6732