1   **BELLSOUTH TELECOMMUNICATIONS, INC.**

2   **TESTIMONY OF THOMAS G. WILLIAMS**

3   **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

4   **DOCKET NO. 010098-TP**

5   **JUNE 8, 2001**

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7

8   Q.   PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH

9   TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS

10   ADDRESS.

11

12   A.   My name is Thomas G. Williams. I am employed by BellSouth as Product

13   Manager for Line Sharing for the nine-state BellSouth region. My business

14   address is 3535 Colonnade Parkway, Suite E511, Birmingham, Alabama, 35242.

15

16   Q.   WHAT IS YOUR PROFESSIONAL EXPERIENCE AND

17   EDUCATIONAL BACKGROUND?

18

19   A.   My career at BellSouth spans over 14 years and includes positions in

20   various product management positions. I also have seventeen years service with

21   AT&T and Southern Bell, during which I held various positions in sales,

22   marketing, and operations. I have a bachelor's degree in Marketing.

23

24   Q.   HAVE YOU TESTIFIED PREVIOUSLY?

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1		Yes. I previously testified before the Alabama, Georgia, Louisiana, and South
2		Carolina Public Service Commissions, and I filed testimony with the Florida
3		Public Service Commission and the Public Utility Commission of North Carolina.
4		
5	Q.	WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?
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7	A.	The purpose of my testimony is to present BellSouth's position on the unresolved
8		line sharing issues in the negotiations between BellSouth and Florida Digital
9		Network. Specifically, my testimony addresses Issue 1.
10		
11		*Issue 1: For Purposes of the new interconnection agreement, should BellSouth be*
12		*required to provide xDSL service over UNE loops when FDN is providing voice*
13		*service over that loop?*
14		
15	Q.	WHAT IS YOUR UNDERSTANDING OF THIS ISSUE?
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17	A.	FDN typically uses its own switch and UNE loops it purchases from BellSouth to
18		provide service to its end users. The situation addressed by this issue arises when
19		FDN uses this type of arrangement to provide voice service to an end user, and
20		that end user also wants xDSL service.
21		
22	Q.	WHAT IS FDN'S POSITION ON THIS ISSUE?
23		
24	A.	In the situations I just described, FDN wants the Commission to order BellSouth
25		to provide BellSouth's ADSL service to FDN's end user over the same UNE loop

1 that FDN is using to provide voice service to that end user. Significantly, in these

2 situations, BellSouth is not providing voice over the UNE loop.

3

4 Q. WHAT IS BELLSOUTH'S POSTION ON THIS ISSUE?

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6 A. BellSouth' position is that it is not required to provide its ADSL service over a

7   loop if BellSouth is not providing voice service over that loop.

8

9 Q. HAS THE FCC ADDRESSED WHETHER OR NOT AN INCUMBENT LIKE

10   BELLSOUTH IS REQUIRED TO PROVIDE xDSL SERVICE OVER A UNE

11   LOOP THAT AN ALEC IS USING TO PROVIDE VOICE SERVICE TO AN

12   END USER?

13

14 A. Yes. In a recent Order, the FCC stated, "We deny, however, AT&T's request that

15   the Commission clarify that that incumbent LECs must continue to provide xDSL

16   service in the event customers choose to obtain service from a competing carrier

17   on the same line because we find that the *Line Sharing Order* contained no such

18   requirement." *See In Re: Deployment of Wireline Services Offering Advanced*

19   *Telecommunications Capability*, Order No. FCC 01-26 in CC Docket Nos. 98-

20   147, 96-98 (Released January 19, 2001) at ¶26. The FCC then expressly stated

21   that its *Line Sharing Order* "does not require that [LECs] provide xDSL service

22   when they are no longer the voice provider." *Id.*

23

24 Q. HAS ANY OTHER STATE COMMISSION IN BELLSOUTH'S REGION

25   ADDRESSED THIS ISSUE?

26

1   A.   Yes. In an arbitration proceeding before the Public Service Commission of South

2   Carolina, IDS Telecom, LLC alleged that it was anticompetitive for BellSouth not

3   to provide xDSL services over a loop that an ALEC is using to provide voice

4   service. The South Carolina Commission rejected IDS's allegations, stating:

5   *IDS's allegation is without merit. The FCC recently stated that*

6   *"we deny AT&T's request for clarification that under the Line*

7   *Sharing Order, incumbent LECs are not permitted to deny their*

8   *xDSL [data] services to customers who obtain voice service from a*

9   *competing carrier where the competing carrier agrees to the use of*

10   *its loop for that purpose." After denying AT&T's request, the FCC*

11   *reiterated that "[a]lthough the Line Sharing Order obligated*

12   *incumbent LECs to make the high frequency portion of the loop*

13   *separately available to competing carriers on loops where the*

14   *incumbent LEC provides voice service, it does not require that they*

15   *provide xDSL service when they are no longer the voice provider."*

16   *Clearly, the FCC has not required an incumbent LEC to provide*

17   *xDSL service to a particular end user when the incumbent LEC is*

18   *no longer providing voice service to that end user. IDS'*

19   *contention that this practice is anticompetitive is therefore not*

20   *persuasive when BellSouth is acting in accordance with the*

21   *express language of the FCC's most recent Order on the subject.*

22   *See* Order on Arbitration, *In re Petition of IDS Telecom, LLC for Arbitration of a*

23   *Proposed Interconnection Agreement with BellSouth Telecommunications, Inc.*

24   *Pursuant to 47 U.S.C. Section 252(b)*, Order No. 2001-286 in Docket No. 2001-

25   19-C at 28-29 (April 3, 2001)(emphasis added).

26

1 Q. ASIDE FROM THE RULINGS YOU JUST DISCUSSED, ARE THERE

2 OTHER REASONS SUPPORTING BEELSOUTH DECISION NOT TO

3 PROVIDE ITS ADSL SERVICE OVER A LOOP IF BELLSOUTH IS NOT

4 PROVIDING VOICE SERVICE OVER THAT LOOP?

5

6 A. Yes, there are several business reasons for BellSouth's decision. First, the

7 systems BellSouth uses to provide its ADSL service do not currently

8 accommodate providing ADSL service over such a loop. For example, not every

9 loop satisfies the technical requirements necessary to provide ADSL service.

10 Prior to provisioning ADSL over a given loop, therefore, BellSouth must

11 determine whether that loop will accommodate ADSL service. In order to make

12 this determination, BellSouth has developed a database that stores loop

13 information for inventoried working telephone numbers. When an ALEC like

14 FDN provides dial tone from its own switch, the ALEC (not the end user) is

15 BellSouth's customer of record, and the ALEC (not BellSouth) assigns a

16 telephone number to the end user. BellSouth's database, therefore, does not

17 include loop information for facilities-based UNE telephone numbers, and

18 BellSouth cannot use the database to readily determine whether a facilities-based

19 UNE loop is ADSL compatible.

20

21 Additionally, processing ADSL orders from an end user served by a facilities-

22 based ALEC would be inefficient and, therefore, costly. Assume, for example,

23 that an end user who is served by an ALEC over a UNE loop orders BellSouth's

24 retail ADSL service. The ALEC serving that customer has purchased a UNE loop

25 from BellSouth , and BellSouth cannot use the high frequency spectrum of that

26 loop to provide ADSL to the end user without the ALEC's permission. When an

1   ALEC purchases an unbundled loop from BellSouth, it has access to and the right

2   to use all features and functionalities associated with that loop. This means the

3   ALEC has exclusive use of the entire spectrum, which includes the high

4   frequency portion of the loop. For BellSouth to provision ADSL over this portion

5   of the loop, therefore, it must negotiate with each ALEC for use of that spectrum.

6

7   Finally, BellSouth would have to ask the end user to identity the ALEC that is

8   providing the end user's voice service and determine whether that ALEC will

9   allow BellSouth to provide its retail ADSL service over the UNE loop the ALEC

10   has purchased from BellSouth. All of this would have to take place before

11   BellSouth even began provisioning the order. This problem is exacerbated if the

12   end user orders ADSL service from an ISP. In that case, the ISP would order

13   wholesale ADSL service from BellSouth to the end user's address. BellSouth

14   would have to search its records, determine that the end user is not a BellSouth

15   customer, ask the ISP to find out which ALEC serves the end user, wait for the

16   ISP to provide that information, and determine whether that ALEC will allow

17   BellSouth to provide its retail ADSL service over the UNE loop the ALEC has

18   purchased from BellSouth. Again, all of this would have to take place before

19   BellSouth even began provisioning the order.

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21   Q.   DOES THIS CONCLUDE YOUR TESTIMONY?

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23   A.   Yes.

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