BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960786A-TL

In the Matter of

CONSIDERATION OF BELLSOUTH TELECOMMUNICATIONS, INC.'S ENTRY INTO INTERLATA SERVICES PURSUANT TO SECTION 271 OF THE FEDERAL TELECOMMUNICATIONS ACT OF 1996.
_____/

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VOLUME 8

Pages 1010 through 1194

PROCEEDINGS:	HEARING
BEFORE:	CHAIRMAN E. LEON JACOBS, JR. COMMISSIONER J. TERRY DEASON COMMISSIONER LILA A. JABER COMMISSIONER BRAULIO L. BAEZ COMMISSIONER MICHAEL A. PALECKI
DATE:	Wednesday, October 17, 2001
TIME:	Commenced at 9:00 a.m.
PLACE:	Betty Easley Conference Center Room 148 4075 Esplanade Way Tallahassee, Florida
REPORTED BY:	JANE FAUROT, RPR Chief, Office of Hearing Reporter Services FPSC Division of Commission Clerk and Administrative Services (850) 413-6732
APPEARANCES:	(As heretofore noted.)

I N D E X

WITNESSES

EXHIBITS

NUMBER:		ID.	ADMTD.
31	Exhibit Attached to Witness Fury's Prefiled Testimony	1015	1073
32	Hourly Traffic Data Summary	1054	1073
33	WKM-1 through WKM-13 and Attachments A through F	1076	

P R O C E E D I N G S

(Transcript follows in sequence from Volume 7.)

CHAIRMAN JACOBS: Okay. We'll go ahead and get started this morning. Commissioners Baez and Deason will be joining us momentarily.

(Inaudible comment. Microphone off.)

CHAIRMAN JACOBS: He had the best evening of all, I think. After yesterday, I wish I could have joined them.

MS. KEATING: Mr. Chairman. Mr. Chairman.

CHAIRMAN JACOBS: Yes.

MS. KEATING: Before you get started, I just wanted to make you aware that e.spire had requested to be excused from the remainder of the hearing.

CHAIRMAN JACOBS: Very well. And I assume they had no witnesses -- they had no witnesses?

MS. KEATING: No, sir.

CHAIRMAN JACOBS: Very well, then. Show that e.spire is excused.

MS. KAUFMAN: NewSouth would call John Fury. And, Mr. Chairman and Commissioners, this is Lori Reese from NewSouth who is going to be conducting Mr. Fury's examination.

MS. REESE: Chairman Jacobs, Mr. Fury has not been sworn in yet. He was unavailable last week when, I believe, all the witnesses were sworn in, so I wanted to bring that to your attention.

CHAIRMAN JACOBS: If you would stand and raise your right hand, Mr. Fury.

(Witness sworn.)

CHAIRMAN JACOBS: Thank you. You may be seated.

JOHN FURY

was called as a witness on behalf of NewSouth Communications Corporation and, having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. REESE:

Q Mr. Fury, can you tell the Commission where exactly you work and your position?

A Sure. My name is John Fury with NewSouth Communications. My address is 2 North Main Street, Greenville, South Carolina 29601. I am the Carrier Relations Manager.

Q Did you cause to be filed 12 pages of testimony and one exhibit in this particular docket?

A I did.

Q And do you have any additions or corrections, changes to be made to that testimony?

A I do not.

Q Are you also adopting the testimony today of Mr. Ron Beasley, which consists of five pages of testimony?

A I am.

Q And are there any additions or corrections, changes that need to be made to that testimony as filed?

A No, there aren't.

MS. REESE: Mr. Chairman, could we get an exhibit number for this testimony at this time?

CHAIRMAN JACOBS: As far as the prefiled testimony, we just simply enter that into the record without an exhibit.

MS. REESE: And for the one exhibit that Mr. Fury had --

CHAIRMAN JACOBS: The one exhibit, we will mark that. That will be marked as Exhibit 31.

(Exhibit 31 marked for identification.)

MS. REESE: Thank you, Chairman Jacobs.

(REPORTER NOTE: For convenience of the record, the prefiled testimony of Witness Fury and Beasley are hereby entered into the record.)

Q. Please state your name and business and address.

A. My name is John Fury. My business address is 2 North Main Street, Greenville, South Carolina 29601.

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

A. I am employed by NewSouth Communications Corp., as Carrier Relations Manager.

Q. What are your responsibilities as Carrier Relations Manger?

A. I am responsible for overseeing NewSouth's business relationships with other telecommunications carriers, particularly those incumbent local exchange companies with whom we interconnect to provide services.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to rebut the direct testimony of W. Keith Milner and Cynthia Cox as it relates to BellSouth's assertion that it has complied with Item No. 1 of the Competitive Checklist.

Q. Briefly describe your educational background and telecommunications experience.

A. I graduated from Louisiana State University in 1991, with a Bachelor of Science degree in political science and I have been employed in the telecommunications industry since graduation. I have been employed in various capacities for Worldcom, Brooks Fiber, Broadwing and U.S. One. Since April 1998, I have been employed by NewSouth Communications of Greenville, South Carolina.

Q. Please describe the position you have held in the telecommunications industry in the last 10 years.

A. I have worked in network audit, planning and provisioning, capacity management, traffic management, outside plant design and engineering as well as network design. More specifically, since April 1998, I have worked for NewSouth in network planning and capacity planning and since January of 2001 I have held my current position as Carrier Relations Manager.

Q. Describe NewSouth Communications Corp.

A. NewSouth is a facilities-based local competitive broadband provider, providing various telecommunications services throughout the BellSouth region of the United States. NewSouth primarily services medium to large size business customers by purchasing unbundled loops, combinations of unbundled loops and unbundled dedicated transport ("enhanced extended links" or "EELs") which are connected to NewSouth's voice and data switches. For these customers, NewSouth also purchases number portability and interconnection services from BellSouth. NewSouth has installed over 100,000 lines in the BellSouth region using a combination of BellSouth's unbundled network elements ("UNEs") and NewSouth's own voice and data switches. For these customers, it is critical that NewSouth receive access to unbundled loops, local number portability, and interconnection, including collocation, in a timely and nondiscriminatory manner.

NewSouth uses the UNE Platform to offer service to very small business customers where BellSouth will not provide unbundled switching for service to customers with more than 3 lines, and to business customers of all sizes in various markets.

Q. What has been NewSouth's general experience in dealing with BellSouth?

A. NewSouth has experienced a broad range of issues in its dealings with BellSouth, only a few of the most severe of which are discussed here. As a new entrant, NewSouth is dependent upon BellSouth for timely, accurate and reliable ordering systems and provisioning, cooperative management of the facilities that interconnect the parties' networks, and cost-based pricing for services and facilities obtained from BellSouth. NewSouth has experienced failings in all of these areas, however, that impede its ability to meaningfully compete with BellSouth.

Q. If NewSouth has experienced numerous problems with BellSouth, why has it not filed a complaint with this Commission?

A. As a small company with limited resources in a climate where ALECs are experiencing great difficulty in obtaining additional capital, NewSouth has been, and continues to be, sensitive to its expenditures. NewSouth has used its limited resources to establish its presence as a competing carrier in the BellSouth region and serve its customers. By necessity, it has tried to work through its various problems with BellSouth, taking the incumbent carrier at its word, for example, when it indicated that it would resolve various interconnection and provisioning problems experienced by NewSouth.

Due to a combination of its limited resources and its attempts to work through issues with BellSouth, NewSouth has not heretofore filed a complaint addressing the problems it has experienced with BellSouth or filed briefs in any dockets touching upon issues faced by NewSouth. In the face of BellSouth's application to provide in-

region, interLATA service, however, NewSouth has determined that it must voice its concerns about BellSouth's persistent failure, in connection with certain issues, to abide by applicable law.

CHECKLIST ITEM 1: DOES BELLSOUTH CURRENTLY PROVIDE INTERCONNECTION IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 251(C)(2) AND 252(D)(1) OF THE TELECOMMUNICATIONS ACT OF 1996, PURSUANT TO SECTION 271(C)(2)(B)(I) AND APPLICABLE RULES PROMULGATED BY THE FCC?

Q. What does this checklist item require?

A. Section 251(c)(2)(A) of the Telecommunications Act of 1996 requires BellSouth "to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with [BellSouth's] network . . . for the transmission and routing of telephone exchange service and exchange access." Such interconnection must be "at least equal in quality to that provided by [BellSouth] to itself or to . . . any other party to which [BellSouth] provides interconnect," (47 U.S.C. 251(c)(2)(C)), and must be provided "on rates, terms and conditions that are just, reasonable, and non-discriminatory, in accordance with the terms of the [interconnection] agreement and the requirements of [section 251] and section 252." (47 U.S.C. 251(c)(2)(D)). Based upon NewSouth's experience, BellSouth fails to meet this standard.

Q. How has BellSouth failed to comply with this requirement?

A. The interconnection that BellSouth provides to NewSouth is not "equal in quality to

that provided by [BellSouth] to itself" because BellSouth does not order and provision interconnection trunks delivering traffic from BellSouth's network to NewSouth's network in a timely fashion in response to NewSouth's forecasts of need. In other words, BellSouth must show that "it is offering *interconnect and access to network elements on a nondiscriminatory basis.*" *See* Memorandum Opinion and Order, *In the Matter of Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In Region, InterLATA Services in Kansas and Oklahoma*, CC Docket No. 00-217 (rel. January 22, 2001) (hereinafter "SBC Kansas Order") at ¶ 28 (emphasis added). BellSouth's failure to provide appropriate trunking has resulted in excessive blockage of calls from BellSouth customers to NewSouth customers and has required NewSouth to delay providing service to new customers so that the volume of calls that they anticipate receiving does not overwhelm the capacity of the interconnection facilities. BellSouth's conduct in this regard violates standards articulated by the FCC in several of its Section 271 orders.

Q. What factors does the FCC evaluate to determine if these criteria have been met?

A. The FCC has analyzed various factors. For example, to show that the "equal in quality" requirement has been fulfilled, the FCC has held that the incumbent carrier must show that its interconnection facilities meet the "same technical criteria and service standards" that are used for "interoffice trunks within the incumbent's LEC

network." (SBC Texas Order at ¶ 62). The FCC has determined that disparities in trunk group blockage are an indicator of a failure to provide interconnection to competitors which is "equal in quality" because trunk group blockage indicates that end users are experiencing difficulty completing or receiving calls, and it may have a direct impact on the customer's perception of a competitive LEC's service quality. *(See generally* Memorandum Opinion and Order, *In the Mater of Application of BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. for Provision of In-Region, InterLAA Services in Louisiana*, CC Docket No. 98-121 (rel. Oct. 13, 1998) (hereinafter "Second BellSouth Louisiana Order") at ¶¶ 76-77; Memorandum Opinion and Order, *In the Matter of Application of Ameritech Michigan Pursuant to Section 271 of the Commissions Act of 1934, as amended, to Provide In-Region, InterLATA Services in Michigan*, CC Docket No. 97-137 (rel. Aug. 19, 1997) at ¶¶ 240, 243). The FCC also has determined that the installation time for interconnection services and two-way trunking arrangements (which must be provided upon request) are indicators of whether an incumbent provides interconnection service under terms and conditions that are no less favorable than the terms and conditions "the BOC provides to its own retail operations." *(See* Memorandum Opinion and Order, *In the Matter of Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the State of New York* CC Docket No. 99-295 (rel. December 22, 1999) (hereinafter "Bell Atlantic New York Order") at ¶ 65. *See also SBC Texas Order* at ¶ 63). As set forth below, BellSouth has failed

to fulfill these various factors.

Q. Please explain the trunking arrangement NewSouth has with BellSouth.

A. NewSouth has an Interconnection Agreement (Agreement) with BellSouth that provides, *inter alia*, for separate one-way trunks for the exchange of local traffic. Under the terms of the Agreement, BellSouth is responsible for ordering and provisioning trunks to deliver the local traffic originating from its customers to NewSouth's customers, and vice-versa. Both companies agree that these facilities, or trunk groups, are to be maintained at an industry standard grade of service based on the Erlang B traffic model.

Q. What does NewSouth do in regard to these trunk groups?

A. NewSouth monitors these trunk groups on a daily basis to maintain this grade of service and provides regular forecasts to BellSouth which are vital for managing the growth of the network. NewSouth, however, cannot monitor and effectuate proper service to customers alone. BellSouth must monitor the local traffic flow and identify and blockage or deflections in calls that originate from its customers to NewSouth customers. With a few exceptions, BellSouth does not do an adequate job in meeting this responsibility despite the fact that NewSouth provides forecasts to BellSouth on a quarterly basis so that BellSouth may manage the growth of the network and identify the resources necessary to support that growth.

Q. Please explain.

A. Despite the regular forecasts provided by NewSouth to BellSouth, NewSouth has initiated almost every request for augmentation of BellSouth's reciprocal trunking.

For example, in Macon, Georgia, NewSouth's forecasts clearly showed that a total of 72 trunks would be needed in the Second Quarter of 2001, 48 more than were then being provided to NewSouth. BellSouth did not act upon this forecast, but instead waited until NewSouth requested an augmentation of BellSouth's trunk group on April 18, 2001. BellSouth responded almost three weeks later on May 8, 2001, and informed NewSouth that the trunks would not be augmented until June 5, 2001. Such a delay, in the face of previous forecasts showing trunk group growth and busy hour occupancy rates of 99.9% on some days, *(see*, e.g., Memorandum Opinion and Order, *In the Matter of Application of Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions) and Verizon Global Networks Inc., for Authorization to Provide In-Region, InterLATA Services in Massachusetts*, CC Docket No. 01-9 (rel. April 16, 2001) (hereinafter "Verizon Mass. Order") at ¶ 189), clearly shows that BellSouth is not "offering *interconnection and access to network elements on a nondiscriminatory basis*." (SBC Kansas Order at ¶ 28 (emphasis added). (In other markets, NewSouth's occupancy rates have exceeded 100% on several occasions, up to an occupancy rate of over 260% in one case.) In addition, there have been four occasions since January 1, 2001 in which BellSouth has refused to augment reciprocal trunks upon request. Again, the quantities requested were consistent with the NewSouth forecasts previously provided to BellSouth. My Exhibit No. _____ JF-1 provides more detail about trunk augmentation situations NewSouth has experienced with BellSouth.

Q. Your discussion above is not specific to Florida. Please explain.

A. The above examples illustrate that trunk augmentation is a problem throughout the BellSouth region. The BellSouth Capacity Managers in Florida are no more proactive about augmenting reciprocal trunks then Bell managers in any other state.

Q. In his direct testimony, beginning at page 21, Mr. Milner discusses the trunk augmentation and forecasting process BellSouth employs. Do you have any comments?

A. Yes. While Mr. Milner's discussion may sound good on paper, it is not put into practice in NewSouth's experience. As described in my testimony, despite NewSouth's provision of forecast information to BellSouth and continuing discussions with BellSouth regarding this problem, BellSouth does not provision trunking appropriately based on NewSouth's forecast information.

Q. Has NewSouth tried to work with BellSouth on this issue?

A Yes. In an effort to improve this situation, NewSouth submitted inquires to Mr. Jon Rey Sullivan, BellSouth's Assistant Vice President of Operations, and requested a quarterly review of the capacity forecasts with BellSouth's project managers. In his response to NewSouth, Mr. Sullivan stated that BellSouth Capacity Managers will "add trunks when the growth warrants" and "when NewSouth tells us of significant end user customers adds." Mr. Sullivan further stated that BellSouth does not "add strictly from the forecast." Such a cavalier response flies in the face of Section 271's unambiguous mandate for nondiscriminatory interconnection and access to network elements. Importantly, Mr. Sullivan's response is representative of BellSouth's

failure to timely and effectively address the interconnection problems it has casued.

Q. What impact has BellSouth's failures to appropriately augment trunking had on NewSouth?

A. BellSouth's delays have caused irreparable harm to NewSouth, forcing NewSouth to delay bringing new customers on-line and negatively impacting both NewSouth's finances and its perceived quality and reliability among consumers. BellSouth's failures appear even more egregious when compared to the finding of the FCC in connection with Verizon's section 271 application in Massachusetts. (*See generally* Verizon Mass. Order.). In the Verizon matter, the FCC determined that the delays in trunk provisioning, as alleged by ICG, did not warrant a finding of noncompliance with Competitive Checklist Item 1. (See Verizon Mass. Order at ¶ 190). ICG had forecasted a need for over 24,000 *trunks*, however, which amounted to over 8% of all interconnection trunks which Verizon installed during the last 4.5 years and which was greater than the number of trunks Verizon had installed for all ALECs combined in a two-month period. (*See id.* at ¶ 190, note 600). Importantly, the FCC found that ICG's current trunks were under-utilized, with an *occupancy rate of only 33%.* (*Id.* at ¶ 190). In these circumstances, the FCC held that the delays in provisioning trunks to ICG were an "isolated situation" and did not warrant a finding of noncompliance. In sharp contrast, as discussed above, NewSouth forecasted the need for *only 72 trunks total*, only 48 more than were currently in service, and the company made this request in the face of occupancy rates reaching *99.9%.*

Q. Please summarize NewSouth's position on the trunking issue.

A. Despite the clear mandates of Section 271, NewSouth cannot obtain equal access to BellSouth's network. Therefore, BellSouth has clearly failed to meet the requirements of Checklist Item No. 1.

CHECKLIST ITEM 2: DOES BELLSOUTH CURRENTLY PROVIDE NONDISCRIMINATORY ACCESS TO ALL REQUIRED NETWORK ELEMENTS, WITH THE EXCEPTION OF OSS WHICH WILL BE HANDLED IN THE THIRD PARTY OSS TEST, IN ACCORDANCE WITH SECTIONS 251(C)(3) AND 252(D)(1) OF THE TELECOMMUNICATIONS ACT OF 1996, PURSUANT TO SECTION 271(C)(2)(B)(II) AND APPLICABLE RULES PROMULGATED BY THE FCC?

Q. What is your understanding of the requirements of this item?

A. Item 2 of the Competitive Checklist requires BellSouth to provide "[n]ondiscriminatory access to network elements in accordance with the requirements of section 251(c)(3) and 252(d)(1)." (47 U.S.C. § 271(c)(2)(b)(ii)). The FCC's regulations implementing section 251(c)(3) require ILECs to provide ALECs with combinations of unbundled network elements that are currently combined in the ILECs' networks. (47 C.F.R. § 51.31(b); *Iowa Utilities Board*, 525 U.S. at 393-395).

Q. **What is your understanding regarding how the Commission will evaluate BellSouth's compliance with this item as it relates to OSS?**

A. I understand that the Commission has ruled that BellSouth's compliance with this item, as it relates to OSS matters, will be handled in the content of the third party test via a Commission workshop followed by written comments by the parties.

Q. Does NewSouth plan to participate in that process?

A. Yes, to the extent its resources permit it to. However, for consistency and coherence of its presentation in this portion of the docket, NewSouth wants to go on record as stating that, in NewSouth's view, BellSouth has not complied with this checklist item because it still does not have adequate processes and procedures for the ordering and provisioning of combinations of unbundled network elements in place.

Q. Can you list NewSouth's general concerns in this area?

A. Yes. The following deficiencies will be more fully addressed in the workshop/comment phase of the third party test but generally it is NewSouth's position that BellSouth's OSS is deficient in the following areas:

- Lack of mechanized process for submission of UNE-platform orders;
- Inability to place mechanized orders despite compliance with the BellSouth Service Order Guide;
- Delay in delivery of Firm Order Confirmations (FOC);
- Delivery of FOCs unrelated to orders;
- Excessive number of orders in jeopardy;
- Excessive missed appointments;
- Multiple provisioning problems.

Until these deficiencies are corrected, BellSouth cannot be in compliance with Item 2 of the Checklist.

Q. Does that conclude your testimony at this time?

A. Yes.

Q. Please state your name and business address.

A. My name is Ron Beasley. My business address is Two North Main Street, Greenville, South Carolina 29601.

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

A. I am employed by NewSouth Communications Corp. ("NewSouth"), as Director of Collocation Engineering and Implementation.

Q. What are your responsibilities as Director of Collocation Engineering and Implementation?

A. I am responsible for all matters concerning ILEC collocation applications augments to applications, engineering, and installation and upkeep of equipment.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to rebut the direct testimony of W. Keith Milner and Cynthia Cox as it relates to BellSouth's assertion that it has complied with Item 1 of the Competitive Checklist as it relates to collocation.

Q. Briefly describe your professional and educational background.

A. I have been employed in the communications industry for over 24 years. I have personally engineered, installed and upgraded numerous power plants in central office environments running power leads from the Main Power Board to BDFBs, bays/racks, and switching equipment.

CHECKLIST ITEM 1: DOES BELLSOUTH CURRENTLY PROVIDE INTERCONNECTION IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 251(C)(2) AND 252(D)(1)OF THE TELECOMMUNICATIONS ACT OF

1996, PURSUANT TO SECTION 271(C)(2)(B)(I) AND APPLICABLE RULES PROMULGATED BY THE FCC?

Q. What does this checklist item require as it relates to collocation?

A. This item requires BellSouth to provide "[i]nterconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)." (47 U.S.C § 271(c)(2)(b)(1)). Section 252(d)(1) provides that "the just and reasonable rate for the interconnection of facilities and equipment . . . shall be . . . based on the cost of providing the interconnection. . ." (47 U.S.C. § 252(d)(1)). Rates for interconnection must be determined in accordance with the FCC's pricing rules. (See, *AT&T Corp. v. Iowa Utilities Board*, 525 U.S. 366, 385 (1999)). BellSouth is not in compliance with Item I of the Competitive Checklist because of unreasonable practices that result in excessive charges for power in collocation space that are not based upon the cost of providing interconnection.

Q. Explain NewSouth's power requirements.

A. NewSouth's typical collocation space contains equipment that draws an average of 27.3 amps of power, which requires fused capacity of at least 45 amps. In order to avoid paying the cost of separate BellSouth power feeds for each item of equipment, NewSouth utilizes a Battery Distribution Fuse Board ("BDFB") that accepts a single power feed from BellSouth and separate fuses for the power feeds required within NewSouth's collocation space. In order to allow for future growth, NewSouth requires approximately 100–120 amps of fused capacity.

Q. Explain how BellSouth currently provisions power to a collocation space.

A. BellSouth provides power to an ALEC collocation space using a Main Power Board that holds a fuse for each collocation space power feed. The very purpose of such Main Power Boards is to utilize the numerous size fuses that are available to address and meet the power needs of various areas within the central office. For this reason, power board manufacturers make available a wide variety of fuses to meet varying load requirements. Fuses are available for BellSouth's Main Power Boards in capacities between 60 amps and 224 amps. However, BellSouth has standardized certain fuse capacities and strictly limits ALECs' choice of power feed capacities to these standard fuse sizes, although power board manufacturers offer fuses in different sizes, and other ILECs offer a broader range of fuse capacities to ALECs. The fused capacities offered by BellSouth do not represent the actual amount of usable power provided to the ALEC, as the actual power drain of equipment can be only approximately two-thirds of the fused capacity. Thus, the BellSouth capacities of 10, 15, 30, 45, 60 and 225 fused amps represent 6.7, 10, 20, 30 , 40 and 180 amp drains. BellSouth will only offer power only at capacities of 10, 15, 30, 45, 60, and 225 fused amps. Thus, BellSouth's charges for power are based upon the fused amps provided to an ALEC's collocation space. Because the smallest fuse that BellSouth offers that will meet NewSouth's requirements with any room for growth is the 225 amp fuse, BellSouth charges NewSouth for an average of 140 amps of power that it does not use.

Q. What has NewSouth attempted to do to remedy this situation?

A. NewSouth has offered to pay the cost of labor and materials for BellSouth to install

power board fuses that are sized to meet NewSouth's actual power requirements. NewSouth has also offered to maintain a supply of spare parts for any necessary repairs or replacements. However, BellSouth insists upon using fuses that are either smaller or vastly larger than NewSouth requires, resulting in thousands of dollars in charges for power that NewSouth does not use. The fuse capacities BellSouth offers do not meet NewSouth's requirements for assigning power as needed per rack or bay and do not allow NewSouth to utilize its collocation space to best suit its needs. The power provided is either too much or not enough, with the result that NewSouth must pay for power it does not use or waste rack space due to lack of power. BellSouth's refusal to utilize fuses that are appropriate to NewSouth's requirements is analogous to a power utility basing its demand charges to a commercial customer upon the capacity of the transformer the utility chooses to use to serve the customer, rather than upon the customer's actual power demand.

Q. Do other ILECs offer more appropriate collocation power increments?

A. Yes. Other ILECs, such as Southwestern Bell Telephone Company, offer collocation power to ALECs in increments of 20, 30, 50, 100, and 200 amps of usable power, or drain. The 100-amp increment offered by Southwestern Bell would meet NewSouth's power requirements if BellSouth offered it. Bell operating companies, such as SBC, that have obtained 271 approval offer fuse capacities that are appropriate for ALECs' power requirements.

Q. Has the FCC addressed this issue?

A. Yes. The FCC addressed a similar practice resulting in overcharges for collocation

power in the *Verizon Massachusetts Order*. In comments opposing Verizon's Section 271 application for Massachusetts, various parties contended "that Verizon improperly charges for the number of amps fused, rather than the number of drained amps actually requested and used by competitive LECs." *(See,* Verizon Mass. Order at ¶ 200). The FCC noted that Verizon has "amended its tariff to apply collocation power charges on a per-load amp requested basis, rather than on a per-fused amp basis. *(Id)*. The FCC found that collocation power pricing disputes did not prevent Verizon from satisfying Competitive Checklist Item I *"because, unlike BellSouth, "Verizon amended its collocation tariff... to address the concerns of the parties."* *(Id.* at ¶ 201 (emphasis added).)

Q. Is the rationale in the Verizon order applicable here?

A. Yes. The standard applied by the FCC to Verizon's collocation power charges in the *Verizon Massachusetts Order* applies to BellSouth's collocation power charges as well. Unlike Verizon, however, BellSouth has not revised its power charges so that it applies collocation power charges based on the amount of power that ALECs actually request and use, rather than the arbitrarily limited number of fuse capacities that BellSouth chooses to offer. Until BellSouth reforms its collocation power charge practices, it cannot be found to satisfy Item I of the Competitive Checklist.

Q. Have you discussed NewSouth's concerns with BellSouth?

A. Yes. I have spoken with BellSouth representatives on several occasions and have requested that BellSouth either utilize Main Power Board fuses that are appropriately sized to meet NewSouth's requirements or place metering devices on NewSouth's

collocation power feeds to capture the actual current draw. As I said earlier, NewSouth has offered to pay for all charges for materials and labor involved to make these changes and would make available any spare equipment needed for repairs and replacements. BellSouth personnel consistently have responded that BellSouth will not deviate from its standard Main Power Board fuse capacities. When I have asked whether these are the only fuse capacities used to serve ALECs' BDFBs, BellSouth engineers have responded that BellSouth may utilize larger Main Power Board fuses at some sites. BellSouth personnel have not explained why BellSouth cannot use fuses providing the drain required by NewSouth if BellSouth is willing to provide fuses that are larger than the BellSouth standard fuse sizes.

Q. **What effect has BellSouth's position regarding power for collocation sites had on NewSouth?**

A. BellSouth's refusal to utilize Main Power Board fuses that are sized appropriately to meet NewSouth's collocation power requirements results in thousands of dollars in charges for power that NewSouth has not requested and does not use at numerous collocation sites, including NewSouth's collocation space at 8 offices in Jacksonville, 2 in Orlando and 1 office each at Melbourne and Sanford.

Q. **Does this conclude your testimony at this time?**

A. Yes.

BY MS. REESE:

Q Mr. Fury, did you prepare a summary in anticipation of the hearing today?

A Yes, I did.

Q Could you give that summary at this time?

A Yes. Good morning. My name is John Fury, and I am appearing on behalf of NewSouth Communications. My telecommunications experience includes work in network audit, planning and provisioning, capacity management, traffic management, outside plant design and engineering, as well as network design.

More specifically, since April, 1998 I have worked for NewSouth in network planning and capacity planning. And since January of 2001 have held my current position as Carrier Relations Manager. In my role as Carrier Relations Manager, I am responsible for all aspects of NewSouth's relationship with its ILEC partners, particularly the efficient and effective execution of our interconnection agreements.

NewSouth is a facilities-based local competitive broad band provider providing various telecommunications services throughout the BellSouth region. NewSouth primarily provides service by purchasing unbundled loops, combinations of unbundled loops, and unbundled dedicated transport, otherwise known as EELs, which are connected to NewSouth's voice and data switches. NewSouth also purchases number portability and

interconnection services from BellSouth. In order to serve its customers, it is critical that NewSouth receive access to unbundled loops, local number portability, and interconnection, including collocation in a timely and nondiscriminatory manner.

In my testimony as well as the testimony of Ron Beasley, which I have adopted, I discuss two issues which are of critical importance to NewSouth in serving its customers and which are directly related to BellSouth's noncompliance with the 14-point competitive checklist. These two areas are BellSouth's failure to appropriately augment its trunk groups, thus resulting in network blockage for NewSouth's customers. And, secondly, BellSouth's refusal to provide collocation power at reasonable and appropriate prices.

NewSouth uses the UNE platform to offer services to very small business customers -- wait a minute -- where BellSouth will not provide unbundled switching for service to customers with more than three lines and to business customers of all sizes and various markets. In Florida NewSouth has customers with special access, UNE-P, and UNE loops and EELs. These services are in the Orlando, Jacksonville, Pensacola, Winter Haven, Tampa areas.

Using these platforms, among others, NewSouth provides service to roughly 4,000 customers in the State of Florida with approximately 23,000 lines. Furthermore, NewSouth has deployed 20 collocation sites in the State of Florida.

As to interconnection trunks, it is NewSouth's experience that the interconnection that BellSouth provides is not equal in quality to that provided by BellSouth to itself, because BellSouth does not order and provision interconnection trunks delivering traffic from BellSouth's network to NewSouth's network in a timely fashion. BellSouth's failure to provide appropriate trunking has resulted in blockage of calls from BellSouth customers to NewSouth customers, and has also required NewSouth to delay providing service to new customers so that the volume of calls anticipated does not overwhelm the capacity of interconnection facilities. BellSouth's conduct in this regard violates standards articulated by the FCC in several sections of its 271 orders.

The FCC has determined that disparities in trunk group blockage are an indicator of a failure to provide interconnection to competitors which is equal in quality because trunk group blockage indicates that end users are experiencing difficulty completing or receiving calls and may have a direct impact on the customer's perception of a competitive LEC's service quality.

The FCC has also determined that the installation time for interconnection services in two-way trunking arrangements are indicators of whether an incumbent provides interconnection service under terms and conditions that are no less favorable than the terms and conditions the BOC provides

to its own retail operations.

NewSouth has an interconnection agreement with BellSouth that provides for separate one-way trunks and for the exchange of local traffic. Under the terms of the agreement, BellSouth is responsible for ordering and provisioning trunks to deliver the local traffic originating from its customers to NewSouth's customers and vice versa. Both companies agree that these facilities or trunk groups are to be maintained to an industry standard grade of service based on the Erlang B traffic model. NewSouth monitors these trunk groups on a daily basis to maintain this grade of service and provides regular forecasts to BellSouth which are vital for managing the growth of the network.

NewSouth, however, cannot monitor and effectuate proper service to customers alone. BellSouth must monitor the local traffic flow and identify any blockage or deflections in calls that originate from its customers to NewSouth's customers. With a few exceptions BellSouth does not do an adequate job in meeting this responsibility, despite the fact that NewSouth provides forecasts to BellSouth.

BellSouth consistently resists requests on the part of NewSouth for augmentation of BellSouth's reciprocal trunk groups. This despite the fact that Newsouth has projected this need in its forecasts. BellSouth must take an active role in maintaining grade of service on its reciprocal groups, yet

NewSouth has initiated almost every request for augmentation of BellSouth's reciprocal trunking.

Further, BellSouth has never provided forecasts of demand to NewSouth, despite a requirement to do so in our interconnection agreement. As an example, in Macon, Georgia NewSouth forecasts show that a total of 72 trunks would be needed in the second quarter of 2001, 48 more than were being provided to NewSouth at the time. On April 18th, 2001, NewSouth requested that this trunk group be augmented. This request was denied.

Further, as a condition for augmenting this trunk group, BellSouth made unreasonable demands for information not required by the interconnection agreement. Specifically, they asked for telephone numbers to which the traffic would be terminated and for written documentation of NewSouth's business plans in the Macon market. BellSouth did not send a request for these trunks to NewSouth until May 8th, with a requested due date of June 5th, 2001. In the initial response, BellSouth's capacity manager went as far as to say the trunks would not be available until July.

BellSouth's delays in responding to these requests resulted in blockage observed in Macon on May 21st. BellSouth had more than 30 calendar days to respond and chose to deny and delay. BellSouth's delays in this and other markets have caused irreparable harm to NewSouth, forcing NewSouth to delay

bringing new customers on line and negatively impacting both NewSouth's finances and its perceived quality and reliability among customers.

Regarding collocation power, Section 252(d)(1) provides that the just and reasonable rate for the interconnection facilities and equipment shall be based on the cost of providing the interconnection. Rates for interconnection must be determined in accordance with the FCC's pricing rules. BellSouth is not in compliance with Item 1 of the competitive checklist because of unreasonable practices that result in excessive charges for power in collocation space that are not based on the cost of providing that interconnection.

NewSouth's typical collocation space contains equipment that draws an average of 27 amps of power, requiring a fused capacity of around 45 amps. In order to avoid paying the cost of separate BellSouth power feeds for each item of equipment, NewSouth utilizes a battery distribution fuse board, or BDFB, that accepts a single power feed from BellSouth and separate fuses for the power feeds required within NewSouth's collocation space. In order to allow for future growth, NewSouth requires approximately 100 to 120 amps of fused capacity.

NewSouth has made several requests, both formally and informally, for reconsideration of the manner in which

BellSouth charges for power. Instead of charging NewSouth based on the fused capacity or the maximum draw, as configured in the NewSouth BDFB and as specified in NewSouth's collocation applications, BellSouth charges NewSouth for the maximum amount of power that can be drawn from its power feed, 225 amps.

NewSouth has made repeated efforts to offer solutions which allow for flexibility in accommodating market conditions and which would result in more accurate and nondiscriminatory billing by BellSouth. It must be stressed that the solution that NewSouth proposes would require a billing change only and would not require any physical reconfiguration at the various collocation sites. The only solution that BellSouth proposes would require a costly reconfiguration and reapplication process for every collocation site in the NewSouth network.

In conclusion, NewSouth opposes BellSouth's application to provide interLATA services pursuant to Section 271 of the Act. BellSouth's failure to follow procedures necessary to maintain grade of service in interconnection trunking and its failure to provide collocation power on a nondiscriminatory basis are of primary concern to NewSouth. BellSouth does not always take its role as interconnection partner seriously and in certain instances resists efforts by NewSouth to examine and improve the partnership.

That concludes my summary.

MS. REESE: Mr. Chairman, we would ask at this time

that Mr. Fury's testimony be entered into the record as filed.

CHAIRMAN JACOBS: This is Mr. Fury and Mr. Beasley's, correct?

MS. REESE: Yes, Mr. Chairman.

CHAIRMAN JACOBS: All right. Without objection, show the testimonies of Mr. Fury and Mr. Beasley entered into the record as though read. And he's ready for cross?

MS. REESE: Mr. Fury is ready for cross.

CHAIRMAN JACOBS: Very well.

MS. FOSHEE: Thank you.

CROSS EXAMINATION

BY MS. FOSHEE:

Q Mr. Fury, Lisa Foshee on behalf of BellSouth. Good morning.

Mr. Fury, will you agree with me that there is a difference between a trunk forecast and an order for trunks?

A Yes.

Q And a forecast involves predicting usage for some future period of time, usually a period of approximately six months, correct?

A Yes.

Q And forecasts are used not only to plan for the number of trunks, but also to plan for the number of trunk terminations and the other related pieces of the network necessary to provision those trunks, correct?

A Correct. I think, BellSouth uses the forecasts and takes all of the CLEC forecasts and, of course, their own internal projections and does their budgetary planning and planning for their growth of their central offices.

Q Okay. An order, on the other hand, is for a specified number of trunks to be installed on a specified date, correct?

A Yes.

Q Now, if BellSouth correctly uses forecasts, you would assume that BellSouth will have the sufficient network in place to accommodate trunks when they are ordered, correct?

A Yes. And that's why in Macon we were surprised to find out that there were no terminations or we thought that there were no terminations available until July when we had projected a certain amount or a certain need for the second quarter.

Q Okay. Well, we will talk about Macon in a minute.

A Sure.

Q Do you agree with me that it costs money to grow a network?

A Sure.

Q Okay. And the goal is to manage network growth as close as possible to actual usage, correct?

A That is correct.

Q And underutilization of network facilities is an

inefficient way to manage a network, is it not?

A Yes, I would agree with that. And I would also point out that our interconnection agreement that we have concluded provides for a recourse for BellSouth should facilities be underutilized, so that issue is really moot when you consider our agreement.

Q In percentage terms, what is an ideal utilization of a trunk group?

A Well, I wouldn't -- I don't know if I would say there was an ideal. It should remain below or we try to keep our trunk groups below 85 percent occupancy and, obviously, it requires some timing in order to do that.

Q What do you try to keep them above?

A Ideally -- I don't know that I know a figure that I would say they should be above. I think that our -- I think that in our agreement, I think the figure is 60 or 65 percent that they should -- that they are above. It is specified in the NewSouth/BellSouth interconnection agreement, a level for them to be above.

Q And you don't know that number?

A I think it's 60 or 65. I'm sorry. If I could find it real quickly here, but 65 or 60.

Q Okay. Now avoiding trunk blockage on a trunk group between BellSouth and NewSouth is a cooperative enterprise, is it not?

A Yes, I would agree with that.

Q And NewSouth can have as much impact on whether a trunk blocks as BellSouth can, correct?

A Yes, that is correct.

Q Okay. Now, let's take a hypothetical that I believe you and I have discussed before. If we have a trunk group between a BellSouth end office and a NewSouth end office, and there are 100 trunks in the trunk group. And based on the usage of that trunk group, BellSouth determines that the group needs to be augmented to 150 trunks to avoid blockage, okay? Do you understand that hypothetical?

A Yes.

Q If BellSouth submits an order for an augmentation to NewSouth, and NewSouth refuses to augment that trunk group, can BellSouth proceed with the augmentation?

A To my knowledge this has happened once. And usually the refusal or the delays are a result of -- there is a -- there are usually, or there was a network issue in this case, but, yes.

Q Hypothetically?

A Yes.

Q Well, hypothetically can BellSouth proceed with that augmentation if NewSouth refuses to augment the trunk group?

A We have to provide you entrance into our switch.

Q Okay. And let's assume now that NewSouth does agree

to the augmentation, but NewSouth doesn't have enough trunk terminations available for the 50 additional trunks. Can BellSouth proceed with that augmentation?

A No.

Q And what if the due date arrives for the augmentation and NewSouth has no personnel available to provision the trunks. Can BellSouth proceed with the augmentation?

A No.

Q Now, in any of the scenarios that we just discussed, if the augment does not happen and as a result the trunks are blocked, NewSouth could blame BellSouth for that blockage, could it not?

A Yes, I suppose we could.

Q Okay. Now, let's talk a little bit about traffic growth. In an ideal network management scenario, which I think you are familiar with, traffic growth is measured based on historical predictable growth, is it not?

A Right, we try to do some type of linear trending on traffic growth.

Q Okay. And in your experience with trunk forecasting we can agree that such forecasts are usually based on historical growth, correct?

A That is correct.

Q Okay. And in the case of new entrants, another factor in that forecasting is marketing plans, is it not?

A Yes, I would say that a -- I would say that a CLEC's marketing plans, depending on what type of customers, if that is what you mean, they are going after in a particular market would have an impact on that growth of that trunk group.

Q Okay. And we talk about augmentation, and just to make sure we are agreeing on that term, augmentation is adding trunks to a trunk group so that there is additional capacity in that trunk group, correct?

A Yes, that's correct.

Q And you assess the need for augmentations based on the historical use of that trunk group and, in the case of new entrants, based on their marketing plans, correct?

A Those are two factors. There are others.

Q Okay. Now, if a CLEC adds a high volume customer, such as an ISP behind a trunk group, that could cause a significant spike in the traffic on that trunk group when the ISP is turned up, correct?

A It could, but that is not -- that is not relative to the NewSouth experience. That doesn't relate to the NewSouth experience.

Q Okay, but hypothetically?

A Yes.

Q Okay. And if an ALEC brings an ISP customer on board, that acquisition of that customer is known only to the ILEC -- I mean to the ALEC, correct?

A Yes.

Q So in the case of that ISP, as between BellSouth and the ALEC, only the ALEC would know about the spike in traffic on the trunk group that was going to occur when the ISP was turned up, correct?

A Yes, that is correct.

Q All right. Now that we have talked of some generalities, let's look at your testimony and some of the allegations you have made. You have several examples in your testimony that you claim demonstrate BellSouth's poor performance with respect to trunks?

A Yes.

Q Okay. Let's talk first about the Baton Rouge situation. That situation occurred on Trunk Group AF430232, that ran from the Goodwood tandem in Baton Rouge to NewSouth, correct?

A Correct.

Q From November 1st, 2000 to December 20th, 2000, the traffic on that trunk group remained relatively static, did it not?

A I don't have that information in front of me, but that is probably true.

Q Okay. Can we agree that on December 20th the traffic on that trunk group doubled from previous levels?

A Yes.

Q And that spike was caused by the addition of one large customer to NewSouth's network, correct?

A Yes, it was.

Q And NewSouth didn't tell BellSouth about the addition of that customer, did it?

A You're correct.

Q Okay. And on January 4th, 2001, BellSouth initiated a temporary overflow to stop the blocking on that trunk group, correct?

A Well, I don't know if I would call it temporary, but, yes, the overflow to the transit group was put in place.

Q Okay. And BellSouth did that, correct?

A Yes.

Q Okay. And that same day, January 4th, BellSouth faxed an access service request to NewSouth requesting that the trunk group be augmented, correct?

A Correct.

Q And on that access service request BellSouth put a requested date of January 9th for the augment to complete, correct?

A Yes.

Q And BellSouth requested that the augmented trunks go from the Goodwood tandem to the Baton Rouge MAXNS, which is NewSouth's POP in Baton Rouge, correct?

A I believe the XNS was our collocation space at

Goodwood.

Q Okay. Well, can we agree that on the access service request the end points for the trunk augmentation that BellSouth requested were the same end points for the trunk group that was currently blocking?

A Yes. In that case it would be the Goodwood POP and not the collocation.

Q Okay. And BellSouth on that access service request requested that the augmentation be expedited, correct?

A Yes.

Q Now, when NewSouth got the ASR, the access service request, from BellSouth, it returned to BellSouth a firm order confirmation, correct?

A Yes.

Q And on that firm order -- well, the date on which NewSouth returned the firm order confirmation was January 9th, correct?

A Correct.

Q And that was the date that BellSouth had originally requested that the augmentation be worked, correct?

A Right.

Q And the due date that NewSouth requested on its firm order confirmation was January 12th, right?

A Correct.

Q Okay. Now, also on the firm order confirmation,

NewSouth changed the termination points of the trunk group from NewSouth's POP to a collocation space, correct?

A Yes.

Q Okay. And the reason that NewSouth changed the termination points of the trunk group was that NewSouth's POP was out of capacity, correct?

A Well, yes and no. The POP was out of capacity, but it is our preference that we use the collocation space for interconnection. So the POP being out of capacity would not have changed that decision.

Q Okay. Could NewSouth have terminated trunk groups to its POP without trunk termination being available?

A I don't think so. No, obviously not.

Q Okay. So NewSouth asked that the trunk go to its collocation space?

A Correct.

Q Okay. Was there any equipment available in the collocation space?

A The collocation space was not ready.

Q Okay. So that delayed the order, did it not?

A It did.

Q So let's just go back through what we have discussed. The initial blockage was caused by a spike in traffic that NewSouth did not tell BellSouth about, correct?

A Yes.

Q BellSouth issued an expedited access service request to augment the trunk group, and NewSouth didn't respond to that request until the requested due date, correct?

A Correct.

Q NewSouth chose a later due date for the trunk group to be augmented, correct?

A Correct.

Q NewSouth changed the termination point of its trunk group making it a different project because NewSouth had no capacity to terminate the trunks at its POP, correct?

A Correct.

Q NewSouth chose an alternate termination point, namely its collocation space, that had no facilities at all, correct?

A Correct.

Q And yet after all of this, somehow you come here today and contend that it is BellSouth's fault that this trunk group experienced blockage, is that correct?

A No, I would not support that. I would not say that it was BellSouth's fault that the group blocked in Baton Rouge, that we did cause the delay. What I would say is that NewSouth in its interconnection agreement has made provisions to work cooperatively with BellSouth to make sure that these -- that trunks are augmented in a timely manner. And our failure to do so in this instance and to provide information to BellSouth regarding our customers and our growth, this one instance where

we did fail to do that is admittedly NewSouth's fault.

But there are many other instances that I have alluded to where BellSouth has not either participated actively with NewSouth in maintaining the trunks, that does not address our concern that BellSouth does not initiate these orders, it is always at the request of NewSouth that something is done. And this despite BellSouth's assertion that they watch and manage these trunk groups. I have never -- or, well, I won't say never. There are some capacity managers that do do this job, but it has been -- it is rare that they do. And in every instance when I call them or when I did, when I was doing that, performing that function, they were either unaware that the group was reaching capacity, and they needed my assistance to tell them that you are about to start blocking your customers' traffic to my customer.

I understand your focus on Baton Rouge, but I think there are a lot of other instances where BellSouth has not properly executed the agreement.

Q Can you point to me in your testimony, Mr. Fury, where you say that the Baton Rouge situation was NewSouth's fault?

A That would not be in my testimony.

Q Okay. Let's look at the Macon example. You allege that Macon is another example of BellSouth's poor performance, as I understand it. And the trunk group that you reference

there is Trunk Group AC217811. That is a trunk group that runs from BellSouth to NewSouth, correct?

A Yes.

Q I'm going to hand you an exhibit.

MS. FOSHEE: Actually, if we could -- if I could ask counsel for NewSouth to look at this exhibit. We do not think this is proprietary information, but if you could look at it before we hand it out.

I will represent to you that this is BellSouth's data on the trunk group that BellSouth administers from BellSouth to NewSouth in Macon.

MS. REESE: Chairman, if I could show this briefly to Mr. Fury in assessing the proprietary nature of it?

CHAIRMAN JACOBS: By all means, we will allow you that latitude. So you don't want to distribute it yet.

MS. REESE: Mr. Chairman, if I could briefly just discuss this with him, if that is all right with Mr. Fury.

(Discussion off the record.)

MS. REESE: Chairman Jacobs, we do not feel that this would be proprietary in nature, and it would be fine for Ms. Foshee to cross.

MS. FOSHEE: Thank you.

CHAIRMAN JACOBS: Very well.

Did you want to mark this?

MS. FOSHEE: Yes, sir. I would like to mark it as

the next exhibit. Thank you.

CHAIRMAN JACOBS: Show it marked as Exhibit 32.

MS. FOSHEE: Thank you.

(Exhibit 32 marked for identification.)

BY MS. FOSHEE:

Q Mr. Fury, you have had an opportunity to look through this document now, and I will represent to you that I pulled the hourly traffic data summary for the trunk group you referenced, AC217811. Is this the type of data that you review to determine blockage on trunk groups?

A Yes.

Q And trunk blockage data is maintained hourly, is it not?

A Yes.

Q Okay. And I will represent to you that I pulled the data from January 1st, 2000 through August 12th, 2000, which is the last date. And BellSouth maintains this data on the BellSouth administered trunk groups, correct?

A This is your data, yes.

Q Okay. Now, if you could look through this exhibit for me and point out for us every hour that this trunk group showed any blockage anytime in this eight-month period?

A I believe the blockage that we are talking about occurred on May 21st.

Q Okay. So May 21st is the only time in the eight

months that this trunk had blockage on it, correct?

A Yes. This was a 24-member trunk group that went in at the inception of our entry into this market, and so the traffic built up until this point.

Q Okay. Well, let's look at May 21st. I believe it's on Page 53 of 84 of your exhibit?

A Correct.

Q And it looks to me like there were two hours that had blocking during that period, the first being from 12:00 to 1:00, and the second being from 2:00 to 3:00, correct?

A Correct.

Q What was the percent blocking on those trunks at that time?

A .3 percent and .6 percent.

Q Those are both less than one percent, are they not?

A Yes.

Q And then you understand that one percent is the level of blocking to which BellSouth manages on trunks?

A But that is not what is provided for in our agreement. Our agreement provides that we will augment trunks at 85 percent occupancy.

Q Okay. Well, we are not talking about occupancy here; we're talking about blockage. And we can look at --

A The occupancy is over 100 percent. When you have any blockage the occupancy is 100 percent or more.

Q Okay. Well, we'll look at your --

CHAIRMAN JACOBS: Excuse me. Excuse me a minute. Help me understand that correlation.

THE WITNESS: Yes, sir. Oh, I'm sorry. Whenever you have any deflections or blocked calls on these -- these are the reciprocal trunk groups. These are BellSouth's customers calling into NewSouth's customers coming in through our switch. If there is any blockage at all, obviously, the trunk group is 100 percent occupied. And our agreement calls for 85 percent occupancy, or calls for our trunk groups to be augmented when trunk groups reach 85 percent occupancy. Obviously, that did not occur in this case.

CHAIRMAN JACOBS: Ms. Foshee.

BY MS. FOSHEE:

Q What is the industry standard percent blocking figure?

A I don't know what the industry standard percent blocking figure is.

Q So you are not aware that it is one percent?

A We don't want any blocking. We want 85 percent occupancy on our reciprocal groups as per our agreement.

Q Okay. Let's look at the hour from 12:00 o'clock to 1:00 o'clock. How many calls out were there during that period?

A 391.

Q And how many of those calls were blocked?
A One.
Q And what about from 2:00 o'clock to 3:00 o'clock, how many calls out were there?
A 316.
Q And how many of those were blocked?
A Two.
Q Can you look at from the period of May 21st through August 12th and tell us if there were any other single hours that were blocked on this trunk group?
A The trunk group was augmented after this point.
Q Can you answer the question?
A No, there would have been no blockage after that point.
Q Okay.
A Oh, I'm sorry. Yes, there is, actually. I see one peg on June 4th, and -- it would be helpful if we had the count of the members on here, too. I will just add that. But that is the only blocking I see.
Q Okay. And how many calls were there on June 4th?
A Let me go back. 391.
Q Okay. And how many of those calls were blocked?
A One.
Q So in the eight-month period reflected by this data there were four calls that were blocked on your trunk group,

correct?

A Correct.

Q Okay. Now, on June 5th BellSouth put in the 72 trunk groups that NewSouth said that it wanted, correct?

A I'm not sure about that date. I thought that the augment occurred either on the -- I think it may have occurred May 22nd.

Q Okay. Well, I took the June 5th date from your exhibit actually?

A Well, that was -- that was the due date that was on the ASR from BellSouth.

Q Okay. And they were augmented on that date, were they not?

A They were augmented before that date at our request.

Q Okay. And you said they were augmented on what date?

A I believe it was the 22nd. The fear was that the blocking conditions would continue. Obviously, you have peak levels of traffic that occur on certain days, and it's no guarantee that you are going to continue blocking, but that trunk group was over -- I think it hovered in the 95 to over 100 percent capacity or occupancy range throughout those weeks after -- or throughout the week that it blocked.

Q Okay. Well, when you say throughout the week that it blocked, from the data we have looked at, you mean throughout that two-hour period that it blocked, correct?

A The week when the -- I'm sorry. Let me be more precise. The week when the blockage occurred.

Q Okay. Thank you. And we put in the trunk groups that you wanted, right?

A We issued a request to BellSouth on April 18th.

Q Did we put in the trunk groups that you requested?

A Yes.

Q Okay. And NewSouth has never used all 72 of those trunk groups, has it?

A I have not looked at the capacity.

Q Okay. Would it surprise you that NewSouth has not even used half of those trunk groups?

A Yes, it would, but that -- I'm not sure what that -- what that has to do with the blockage that was occurring on May 21st.

Q Are you in charge of managing the utilization of NewSouth's network?

A I am not.

Q Okay. Let's look at -- let's talk for a minute about collocation. NewSouth installed its own BDFB in its collocation space, correct?

A Yes.

Q And you connect that BDFB to BellSouth's main power board, correct?

A Correct.

Q And that was a network configuration that NewSouth designed and implemented, correct?
A Yes.
Q And you understand that the main power board in BellSouth requires 225 amps, correct?
A Yes.
Q And you knew that when you designed your network, correct?
A Yes.
Q Now, BellSouth provides NewSouth the option to connect its BDFB to the BellSouth BDFB rather than the main power board, correct?
A Yes.
Q And that option existed when NewSouth designed its network, correct?
A Yes, it did.
Q If NewSouth availed itself of this option, NewSouth could choose amperage from 10 to 60, could it not?
A I believe it goes from 10 to 60, and then it goes from 60 to 200, or something like that. I'm not sure what the increments are. I think there is something about it in the testimony, what the increments are. Yes, that is correct.
Q But we can agree there are increments smaller than 225 under that option?
A Oh, yes.

Q Okay. Now, with your experience with network management and engineering, can you agree with me that there are efficiencies in standardization?

A Absolutely.

Q And standardization enables companies to reduce provisioning times, reduce intervals and reduce costs, correct?

A Yes.

Q Have you read the ruling of this Commission in the MCI arbitration case?

A I have not.

Q Okay. And you talked about the metering option for the provision of power. Would it surprise you that this Commission has found that that option would be, quote, costly and time-consuming?

A No, it would not. That is one of many -- that is one of many things that NewSouth has tried to work with BellSouth and made offers on, one of probably three or four different ways that we have tried to work on this issue, none of which BellSouth has been receptive to. But we, obviously, understand that that option has been determined to be either too costly for BellSouth or not workable.

MS. FOSHEE: Mr. Chairman, if I could have one minute.

BY MS. FOSHEE:

Q With respect to the MCI order, would it change your

opinion in this case that you've -- or what you have advocated if the Commission had held that the per amp rate for the provision of DC power to WorldCom's collocation space should apply to fused capacity?

MS. REESE: Chairman Jacobs, I would object. Mr. Fury stated earlier that he is not familiar with the MCI arbitration.

MS. FOSHEE: And my response would be that if he is filing testimony in this proceeding, it is incumbent upon him to be familiar with orders, I would think, that touch directly on the subject of his testimony.

BY MS. FOSHEE:

Q But I can ask him subject to check, assuming that my representation of the order is true, would that impact your position before this Commission?

A Can you please restate your question?

Q Absolutely. The Commission held, quote, that the per amp rate for the provision of DC power to WorldCom's collocation space shall apply to fused capacity, close quote.

A Whose fused capacity?

Q What the Commission decided, sir, was that the per amp rate is the appropriate rate rather than the fused capacity rate.

MS. REESE: Mr. Chairman, again I would renew my objection. I can tell you, quite honestly, not even NewSouth's

counsel is familiar with the MCI arbitration, much less Mr. Fury as carrier relations manager being familiar. He has stated he is not. I think it would be important for us to see the entire arbitration decision and for Mr. Fury to have an opportunity to review it in order to answer Ms. Foshee's questions as thoroughly as possible.

MS. FOSHEE: I will withdraw the question if he has not read the order before he filed his testimony. I'm fine with that.

CHAIRMAN JACOBS: Okay.

MS. FOSHEE: Thank you, Mr. Fury. I don't think I have any further questions.

THE WITNESS: Thank you.

CHAIRMAN JACOBS: Staff.

MS. KEATING: Staff has no questions for Mr. Fury.

CHAIRMAN JACOBS: Commissioners?

Mr. Fury, in your exhibit -- I'm trying to correlate what we see as Exhibit 32 here with what you have in your exhibit. Do you have that handy?

THE WITNESS: Mr. Chairman, I do not have the exhibit here. Can someone provide a copy? Thank you.

CHAIRMAN JACOBS: And since you discussed -- this was what, Macon, right, so let's look at your Macon column.

THE WITNESS: Yes. It looks like what we are showing here, and obviously these percentages of occupancy fluctuate

through the week as usage patterns change.

CHAIRMAN JACOBS: So these are the occupancy rates.

THE WITNESS: These are the occupancy rates on a 24-member trunk group, yes, sir. And those rates tend to fluctuate by weekday. Obviously weekends there is low utilization on the groups. And then usually Thursdays are busy days. And so it looks like on May the 21st, which appears from what I'm looking at here -- well, no, that may have been -- it looks like that might have been a Monday. Occupancy was 99.9 percent according to our measures, but with the -- like I allude to in some of my testimony, NewSouth cannot observe the blockage from BellSouth. Only BellSouth can observe blockage from their network.

My trunk groups will only carry what they will carry and we make a -- using a statistical model, make a prediction about the -- about the occupancy level of that group based on what we observe incoming attempts and holding times, other factors.

CHAIRMAN JACOBS: So the only definitive information you have about what is happening with regard to the occupancy of your trunk groups is when you start seeing hold times go up or blocking occurs?

THE WITNESS: Right. And we can tell that it's -- we can only predict using a statistical model that blockage is occurring. We cannot -- we don't know how many deflections

there were, we can't know that because they don't come to our network, they stop at the BellSouth switch.

CHAIRMAN JACOBS: Now you say your -- I guess your planning tool to deal with that was to impose this 85 percent requirement in your contract?

THE WITNESS: Yes, sir.

CHAIRMAN JACOBS: And so the thought occurs to me, if you look through the whole scope of the data it looks like that was a reasonable planning requirement, and in most instances it was met. Even as I look down your chart it appears that the occupancy rate except for Baton Rouge, the rates are within your criteria.

THE WITNESS: Yes, sir, on these other ones, on Birmingham and Knoxville, the groups were within tolerance. What we were showing here is that, you know, we made a request, and at the time that we made these requests, we are trying to show that occupancy was at -- well, let's look at Knoxville where occupancy was 76 percent on April 30th. The trend that was being observed in our capacity management group was that that group would reach 85 percent or greater occupancy by -- within a month's time.

Obviously we have to give a certain amount of warning to BellSouth's capacity managers that we are going to need an augment. So the order doesn't go in at 85 percent, the order goes in -- and this is an order from BellSouth to NewSouth, by

the way. BellSouth initiates the order, sends NewSouth an ASR, and we complete that order giving them a facility assignment that will carry those trunks into our switch. So that usually takes some time and some coordination.

As Ms. Foshee points out, you have to have technicians available and facilities available and all these things have to converge in order to augment these trunks, so that usually takes some time. And what I am -- I guess the point here is that we would like to work more cooperatively with BellSouth. We would like the agreement to be followed and when we make requests, we would like those requests honored.

I understand BellSouth's need to manage their costs and manage their network, but our interconnection agreement provides for penalties if the trunks are underutilized. There should be no issue here. If the letter of our agreement is followed, there is a minimum and maximum. There a range for those trunks to be occupied. So when we call and say we need 24 more trunks here -- and by the way, this is per our forecast, and also, you know, we project that this growth will be occurring over the next month, we expect that the capacity managers will say we will get right on it. We will send you an order. There is no reason for them not to honor our request.

As a matter of fact, we shouldn't even be making a request. The requests should be coming in to us. We would prefer, would like to see some more give in this relationship

rather than waiting on our call every time.

CHAIRMAN JACOBS: One of the big reasons why this is of interest, because the tone of our discussion thus far has been that the most meaningful participation in the market will be in facilities-based services. And what I'm hearing you say is that as a facilities-based provider you are trying to work out something of a planning horizon, if you will.

THE WITNESS: That's right.

CHAIRMAN JACOBS: And when you issue your orders -- on Page 10 of your testimony, you say when you initiate this process that you are anticipating your projections are based on some customer that you are bringing on line, is that pretty frequently the case?

THE WITNESS: Well, it's not always any particular customer that we are basing that request on, it's on our observance of the traffic in that --

CHAIRMAN JACOBS: The calling patterns.

THE WITNESS: Of the calling patterns and the traffic. In the case of Macon, you know, there was no particular customer that prompted us to issue an augment request. As a matter of fact, customers were being turned up during the entire time from April 18th until May. And I think BellSouth suggests that there are these incremental bumps in traffic every time you add a customer, and that is really not the way that traffic grows. Traffic tends to be linear and as

you are adding customers it grows linearly.

Now it can, particularly on a small trunk group. There are cases where a particularly large customer obviously will result in a spike in traffic, but this was not the case in this market and it has not been the case in other markets where we have had -- where we have had instances of blockage.

CHAIRMAN JACOBS: And the pattern is not cyclical, either it is pretty linear, i.e., it doesn't vary by season of the year or by --

THE WITNESS: Not typically. Like I said, the patterns are usually based on days of the week. Particular hours are obviously busier than other hours.

CHAIRMAN JACOBS: Very well. Thank you. Redirect. I'm sorry, Commissioner Palecki.

COMMISSIONER PALECKI: Have you received complaints from your customers because of the blockages and the lost calls?

THE WITNESS: Most definitely.

COMMISSIONER PALECKI: And have you lost any customers as a result?

THE WITNESS: Most definitely.

COMMISSIONER PALECKI: Could you quantify the number of complaints you have received and the number of customers you have lost?

THE WITNESS: That would call for a pretty bold swag

right now. I wouldn't care to do that. I think that would call for a wild guess.

COMMISSIONER PALECKI: Thank you.

CHAIRMAN JACOBS: Redirect.

MS. FOSHEE: Thank you, Mr. Chairman. I just have a couple of questions to follow up on what you said and this goes, again, to the --

CHAIRMAN JACOBS: She followed me right there, too. Redirect is over here.

MS. FOSHEE: May I have some latitude to ask a few additional questions based on your conversation?

CHAIRMAN JACOBS: I'm sorry, I would -- I think it would probably be out of order to do that. That was my mistake, I'm sorry, to give you that opportunity.

MS. REESE: I will take that as a compliment to be confused with Ms. Foshee. A couple of redirect I would like to do, Chairman Jacobs.

REDIRECT EXAMINATION

BY MS. REESE:

Q Very quickly, Mr. Fury, if you recall the hypothetical that Ms. Foshee posed to you at the beginning of her questioning with regard to trunk blockage and ISP traffic. Is the ISP traffic phenomenon something that is familiar to NewSouth's business plan?

A No, it is not. ISPs are not a -- do not represent

any portion of NewSouth's target market.

Q Out of all the trunk blockage incidents that have occurred throughout the region, in the BellSouth region, is the spike type incident that Ms. Foshee referred to, again, is that the familiar understanding of NewSouth when we are talking about trunk blockage is the spike incident, what we are experiencing throughout the region?

A Well, as I stated earlier, spikes in traffic are usually observed or are more sensitive -- let me back up. Small trunk groups, nascent markets where we are just going into a new market are more sensitive to that type of large customer being added. If I only have 24 trunks or some small number of trunks in that market, then obviously a group of 400 or more trunks that we have in a more mature market or a market that we have been in for some time would be able to absorb that traffic because of the lows and the highs of that large trunk group. So it does -- it can occur in small markets, Baton Rouge is one such case.

Q However, would the example -- to rephrase my question, would the examples that you have referred to that we have had throughout the region, were those trunk blockage incidences because of a spike or because of the linear --

A Most of these are linear growth patterns.

Q Ms. Foshee referred to the need for BellSouth to understand marketing plans and other information in order to

assist with trunk blockage, to your knowledge is that covered in the interconnection agreement as a requirement?

A That is not a requirement of the interconnection agreement.

Q Is the Baton Rouge incident that Ms. Foshee focused on the typical trunk blockage experience that NewSouth has experienced with BellSouth?

A I would say it was rather atypical. It is the only case in which -- the only case that I know of in which NewSouth was unable to provide an entrance facility for BellSouth's trunks.

Q Over the past two years or so, do you have a number, a rough idea of the number of times we have had trunk blockage issues with BellSouth?

A I think that would be a number somewhere between -- I think it is probably like ten or less, something just under ten. I think maybe eight, seven or eight instances.

Q And when there is a blockage, even as the BellSouth documentation shows a .3 or a .6, what is the impact of that blockage on NewSouth customers?

A Well, the thing that I always try to point out is that when blockage occurs, whether it is on BellSouth's calls coming into NewSouth or NewSouth's calls going out to BellSouth, the perception is that NewSouth, being the ALEC, the new player, the new kid on the block, that NewSouth has done

something. And this is what our customers relate to us. Either that or NewSouth is not properly managing the relationship. So it doesn't matter who is the cause of the blockage, whether it is BellSouth's traffic blocking to us or us blocking to them, our customers' perception is that you guys did something.

Q Based on your experience and understanding, what is the purpose of the 80 to 85 percent level at which -- when the trunks reach this level, the trunks will be augmented?

A Well, obviously we are trying to prevent any blockage whatsoever. That is what has been negotiated, that is what serves our purposes. And for the reasons I just stated, the fact that our base is particularly sensitive to these types of issues and does tend to view any blockage issues as a CLEC problem, it behooves us and is in our best interest to never have any blockage whatsoever.

Q And finally with regard, again, to the Macon incident, the request on 4/18, do you know the actual date of augmentation and how many requests were made to get that augmentation?

A I should have put that one on top, shouldn't I? Man. Do you have that with you?

Q I believe if you will look at Page 7 of your testimony, it should help you.

A Well, I'm not seeing it.

MS. REESE: Okay. That's all right. Thank you anyway.

Mr. Chairman, that will be all from NewSouth. And I would like to also ask -- I don't know if I had already asked if the exhibit could actually be introduced into evidence. That may have been part of Mr. Fury's testimony, but I'm not sure how you do things here in Florida with regard to that.

CHAIRMAN JACOBS: It is Exhibit 31. Without objection, show that admitted.

MS. FOSHEE: And I would like to move Exhibit 32, please.

CHAIRMAN JACOBS: Without objection, show Exhibit 32 is admitted. Thank you, Mr. Fury, you are excused.

THE WITNESS: Thank you.

(Exhibits 31 and 32 admitted into the record.)

CHAIRMAN JACOBS: And now, Ms. White.

MS. WHITE: Yes. We still have one more witness.

CHAIRMAN JACOBS: That's right, we did not finish Mr. Milner.

MS. WHITE: BellSouth would call Mr. Milner.

CHAIRMAN JACOBS: Very well.

W. KEITH MILNER

was called as a witness on behalf of BellSouth Telecommunications, Inc., and, having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. WHITE:

Q Are you the Mr. Milner to whom all questions have been referred?

A I'm sorry to say that I am he.

Q Would you please state your address for the record?

A Yes. My business address is 675 West Peachtree Street, Atlanta, Georgia.

Q By whom are you employed and in what capacity?

A I am Senior Director, Interconnection Services for BellSouth Telecommunications, Incorporated.

Q And have you caused to be prefiled in this case revised direct testimony consisting of 117 pages?

A Yes, that is correct.

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

A No, ma'am.

Q And have you also caused to be filed in this case revised rebuttal testimony consisting of 30 pages?

A That is correct.

Q Do you have any changes to that testimony?

A Yes, I have one change on Page 6.

Q And this is to your revised rebuttal?

A Correct. And it is the sentence that begins on Line 17, it begins, "This occurred on May 21," and I apologize for

the change, but let me read the sentence as it should appear. "This occurred on May 21 from noon to 1:00 o'clock p.m., where one out of 391 calls was blocked for a call blocking rate of 0.26 percent."

Q Could you repeat that one more time to make sure everyone has it?

A Yes. What I'm changing are the times that are named and the number of calls. So it should read, "This occurred on May 21 from noon to 1:00 p.m., where one out of 391 calls was blocked for a call blocking rate of 0.26 percent."

Q Thank you. With that change, Mr. Milner, if I were to ask you the questions contained in your revised direct and revised rebuttal testimony, would your answers be the same?

A Yes, they would.

MS. WHITE: Chairman Jacobs, I would ask that the revised direct and revised rebuttal testimony of Mr. Milner be entered into the record as if read.

CHAIRMAN JACOBS: Without objection, show Mr. Milner's revised direct and revised rebuttal inserted into the record.

BY MS. WHITE:

Q And did you have 13 exhibits labelled WKM-1 through WKM-13, as well as Attachments A through F attached to your revised direct and revised rebuttal testimony?

A Yes.

Q Do you have any changes or corrections to make to those exhibits?

A No.

MS. WHITE: Chairman Jacobs, I would ask that the Exhibits WKM-1 through WKM-13 and Attachments A through F to Mr. Milner's revised direct and revised rebuttal testimony be identified for the record.

CHAIRMAN JACOBS: Show them marked as Exhibit 33. They can all be one.

(Exhibit 33 marked for identification.)

BELLSOUTH TELECOMMUNICATIONS, INC.

REVISED DIRECT TESTIMONY OF W. KEITH MILNER

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960786A-TL

OCTOBER 3, 2001

Q. STATE YOUR NAME, YOUR BUSINESS ADDRESS, AND YOUR POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC. ("BELLSOUTH").

A. My name is W. Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. I am Senior Director - Interconnection Services for BellSouth. I have served in my present position since February 1996.

Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.

A. My business career spans over 30 years and includes responsibilities in the areas of network planning, engineering, training, administration, and operations. I have held positions of responsibility with a local exchange telephone company, a long distance company, and a research and development company. I have extensive experience in all phases of telecommunications network planning, deployment, and operations in both the domestic and international arenas.

I graduated from Fayetteville Technical Institute in Fayetteville, North Carolina, in 1970, with an Associate of Applied Science in Business Administration degree. I graduated from Georgia State University in 1992 with a Master of Business Administration degree.

Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE ANY STATE PUBLIC SERVICE COMMISSION?

A. I have previously testified before the state Public Service Commissions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, and South Carolina, the Tennessee Regulatory Authority, and the North Carolina Utilities Commission on the issues of technical capabilities of the switching and facilities network, the introduction of new service offerings, expanded calling areas, unbundling, and network interconnection.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?

A. The purpose of my testimony is to document the means by which BellSouth satisfies the network requirements of the Competitive Checklist set forth in Section 271(c)(2)(B) of the Telecommunications Act of 1996 ("Act"). In doing so, I will describe the network-related offerings that BellSouth makes available to Alternate Local Exchange Carriers ("ALECs") in Florida through BellSouth's approved interconnection agreements and Statement of Generally Available Terms and Conditions ("SGAT"). Specifically, I will address network issues identified by this Commission in Order No. PSC-01-1025-PCO-TL in Docket No. 960786-TL and BellSouth's action on those issues.

Q. HOW IS YOUR TESTIMONY ARRANGED?

A. My testimony is divided into the following sections:

Part A: Executive Summary: Pages 3 to 13.

The Executive Summary Section contains an overview of the network-related offerings BellSouth makes available to ALECs through BellSouth's approved interconnection agreements and SGAT.

Part B: Comprehensive Discussion of the Availability of Network-Related Offerings to ALECs: Pages 4 to 127.

Part B contains an extensive discussion of the availability of required offerings in Commission-approved interconnection agreements which addresses those issues, in whole or in part, that were approved for consideration in this proceeding by the Florida Commission.

PART A: EXECUTIVE SUMMARY

Q. HOW IS YOUR TESTIMONY ORGANIZED?

A. I discuss each checklist item in order. Within my discussion of various checklist items, I introduce affidavits from a number of BellSouth subject matter experts on the topics of (A) collocation; (B) access to poles, ducts, conduits and rights-of-way; (C) operator services and directory assistance ("OS/DA"); (D) white pages listings; (E) Local Number Portability ("LNP"); and (F) 911 and E911.

Q. WHAT WILL YOUR TESTIMONY DEMONSTRATE?

A. My testimony will demonstrate that BellSouth currently is in compliance with all the network requirements of the competitive checklist. Moreover, I will show that BellSouth

has a legal obligation to provide required offerings in Commission-approved interconnection agreements. In addition to the interconnection agreements cited herein, Exhibit CKC-3 to the testimony of Cynthia Cox sets forth the citations to various interconnection agreements that evidence BellSouth's legally binding obligations to provide the network requirements of the competitive checklist. BellSouth refers the Commission to CKC-3 as evidence of BellSouth's checklist compliance.

Q. WHERE CAN THE COMMISSION FIND ADDITIONAL TECHNICAL INFORMATION ON THE OFFERINGS DISCUSSED HEREIN?

A. BellSouth provides detailed administrative information, technical information, and procedures for ordering facilities and services in a number of guides, technical service descriptions, and manuals, all of which are available on BellSouth's Internet website at (http://www.interconnection.bellsouth.com/guides/guides.html) and (http://www.interconnection.bellsouth.com/products/tech_ref.html). This website is available to the Commission should the Commission desire additional detail on any of the offerings discussed herein.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 1: INTERCONNECTION?

A. As of March 31, 2001, BellSouth had provisioned 132,850 trunks interconnecting its network with the networks of ALECs in Florida (that is, trunks from ALECs' switches to BellSouth's switches). In its nine-state region, BellSouth had installed 421,220 trunks from ALECs' switches to BellSouth's switches as of that same date. As of March 31,

2001, BellSouth had provided 203,850 two-way trunks (including transit trunks) to a total of 92 ALECs across BellSouth's nine-state region. In Florida, BellSouth has provided 64,132 two-way trunks (including transit trunks) to 52 ALECs.

In Florida, as of March 31, 2001, BellSouth had completed 1,498 physical collocation arrangements, with 37 in progress, for over 50 different ALECs, of which 845 are cageless physical collocation arrangements. Physical collocation arrangements were established in 135 different central offices out of a total of 196 central offices in Florida as of March 31, 2001. As of March 31, 2001, there were 5,303 physical collocation arrangements in place for ALECs throughout BellSouth's nine-state region. Of these, 3,353 were cageless physical collocation arrangements. An additional 161 physical collocation arrangements were in progress for over 40 different ALECs as of March 31, 2001.

In Florida, as of March 31, 2001, there were 142 virtual collocation arrangements in service, however there were three (3) virtual collocation arrangements in progress located in 74 different BellSouth central offices. Those central offices are located in 20 cities in Florida. Across BellSouth's nine-state region, over 40 different ALECs have requested and BellSouth had provided 361 virtual collocation arrangements with construction of an additional 26 arrangements underway as of March 31, 2001.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 2: NONDISCRIMINATORY ACCESS TO NETWORK ELEMENTS?

A. As of March 31, 2001, BellSouth had 71,588 loop and port combinations in place for ALECs in Florida and 303,257 such combinations in place for ALECs across BellSouth's nine-state region. In addition, BellSouth had 1,196 loop and transport combinations in place for ALECs in Florida.

BellSouth has also provided over 80 access terminals to ALECs in its nine-state region for the purpose of gaining access to sub-loop elements.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 3: ACCESS TO POLES, DUCTS, CONDUITS, AND RIGHTS-OF-WAY?

A. As of May 17, 2001, ALECs in Florida had executed with BellSouth 51 license agreements and 103 license agreements region-wide, (both state-specific and multi-state) that allow them to attach their facilities to BellSouth's poles and to place their facilities in BellSouth's ducts and conduits. Since July 1997, BellSouth has received 338 requests in Florida for access to poles, ducts, conduits, and rights-of-way from 26 ALECs with no requests being denied. Similarly, ALECs have leased approximately 195,000 feet of conduit space in BellSouth's nine-state region as a result of ALEC requests, of which 31,000 feet are in Florida.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 4: LOCAL LOOP?

A. As of March 31, 2001, in Florida, BellSouth had provisioned 4,279 two-wire Asymmetrical Digital Subscriber Line ("ADSL") loops and 108 two-wire High Bit Rate Digital Subscriber Line ("HDSL") loops to over 40 different ALECs in Florida. As of the same date, BellSouth had provisioned within its region 14,102 two-wire ADSL loops, 451 two-wire HDSL loops, and 46 four-wire HDSL loops to over 90 different ALECs.

In addition, ALECs in Florida have purchased over 500 unbundled sub-loop elements. BellSouth has two (2) dark fiber arrangements in place in Florida. BellSouth has four (4) dark fiber arrangements in place in one (1) other state within BellSouth's nine-state region.

As of April 1, 2001, BellSouth had provisioned 2,542 line sharing arrangements across BellSouth's nine-state region and 714 line sharing arrangements in Florida.

In March 2001, ALECs made 4,841 mechanized Loop Makeup ("LMU") inquiries region-wide. In Florida, ALECs made 1,409 mechanized LMU inquiries. From November 2000 through March 2001, ALECs made 683 manual LMU inquiries region-wide, of which 234 were in Florida.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 5: LOCAL TRANSPORT?

A. As of March 31, 2001, BellSouth had provided 3,336 dedicated local transport trunks to ALECs in Florida. BellSouth has provided 10,907 dedicated trunks providing interoffice transport to ALECs in its nine-state region as of that same date.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 6: LOCAL SWITCHING?

A. As of March 31, 2001, BellSouth had 30 unbundled switch ports in service in Florida. Region-wide, BellSouth had 388 unbundled switch ports in service as of that same date. Additionally, in connection with its combined loop/port combination offering, BellSouth had 71,588 switch ports in service in Florida and 303,257 in service regionally. BellSouth offers two methods of customized routing to ALECs: Advanced Intelligent Network ("AIN") and Line Class Codes ("LCC"). BellSouth has tested both methods and both currently are available.

To date, no ALEC has requested BellSouth's AIN method of customized routing. BellSouth stands ready to provide the AIN method upon request. BellSouth has provided the LCC method of customized routing to one ALEC in Georgia. No ALEC in Florida has requested this method of customized routing; BellSouth, however, stands ready to provide it.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 7: 911/E911, DIRECTORY ASSISTANCE AND OPERATOR CALL COMPLETION?

A. As of March 31, 2001, ALECs had requested and BellSouth had provided 1,078 E911 trunks for ALECs in Florida. In its nine-state region, BellSouth had 4,400 trunks in service connecting ALECs' switches with BellSouth's E911 arrangements as of that same date. In Florida, 38 ALECs were sending mechanized updates to BellSouth for inclusion

in the 911 database as of March 31, 2001; and in BellSouth's nine-state region, 66 ALECs were doing so as of that same date.

As of March 31, 2001, ALECs in Florida had 1,031 directory assistance trunks in place between those ALECs' switches and BellSouth's Directory Assistance ("DA") platform. In BellSouth's nine-state region, there were 2,929 such directory assistance trunks in place serving ALECs. In BellSouth's nine-state region, 30 ALECs were purchasing Directory Assistance Access Service ("DAAS") and 41 ALECs were purchasing Directory Assistance Call Completion ("DACC") service from BellSouth as of March 31, 2001.

As of March 31, 2001, eight (8) service providers were using BellSouth's Florida subscriber listings, via Directory Assistance Database Service ("DADS"), to provide DA service and third party listing data to end users. Nine (9) service providers were using DADS across BellSouth's nine-state region as of that same date. As of March 1, 2001, two (2) service providers in the region were using Direct Access to Directory Assistance Services ("DADAS") to provide the service to ALECs.

As of March 31, 2001, BellSouth had provided ALECs in Florida with 1,042 operator services trunks. Across its nine-state region, BellSouth had provided ALECs with 2,903 operator services trunks as of that same date. In Florida, BellSouth had provided ALECs with 155 verification trunks as of March 31, 2001. Across its nine-state region, BellSouth had provided ALECs with 503 verification trunks as of that same date.

BellSouth offers four service levels of branding to ALECs when ALECs order Directory Assistance and/or Operator Call Processing. The options are: BellSouth branding; unbranded; custom branding; and self-branding. Unbranded, custom branding, and self-branding are all provided via customized routing. BellSouth will complete its deployment of Originating Line Number Screening ("OLNS") in Florida by June 11, 2001.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 8: WHITE PAGES LISTINGS?

A. BellSouth has long made its white pages listing capabilities available to independent LECs and other service providers. Because methods and procedures have been in place to allow other carriers access to BellSouth's white pages listing capabilities for many years, the necessary methods and procedures pursuant to which ALECs may obtain such listings are business as usual for BellSouth.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 9: NUMBER ADMINISTRATION?

A. At this time, BellSouth no longer performs the central office code assignment function. NeuStar assumed all North American Numbering Plan Administrator ("NANPA") responsibilities on November 17, 1999 when the FCC approved the transfer of Lockheed-Martin's Communication Industry Service division to NeuStar.

As to its responsibilities, BellSouth has responded to ALEC concerns about accurate and timely activation of central office codes ("NXXs") by establishing, effective May 15, 1998, its NXX activation Single Point of Contact ("SPOC") to provide assistance to ALECs and independent LECs. The NXX SPOC processes requests for NXX activity coordination, and provides information concerning BellSouth's architecture arrangements, assistance in trouble resolution for code activation, and assistance in preparing the Code Request. If an ALEC or independent LEC intends to interconnect directly with BellSouth, or if interconnection arrangements with BellSouth are already in place, the ALEC or independent LEC should send to BellSouth a courtesy copy of its Central Office Code Request in conjunction with the submission of its CO Code Request to the NANPA (NeuStar). If the ALEC gives BellSouth a copy of its Central Office Code Request, BellSouth is better able to activate the Central Office Code in BellSouth's network.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 10: ACCESS TO DATABASES AND ASSOCIATED SIGNALING?

A. BellSouth's signaling service is available as evidenced by the fact that, as of May 17, 2001, there were 16 ALECs that had directly connected to BellSouth's signaling network in Florida.

BellSouth's region-wide Line Information Database ("LIDB") processed more than 1.5 billion queries from ALECs and others during the period from January 1997 through February 2001.

As of April 1, 2001, BellSouth has over 70 Calling Name ("CNAM") database customers, consisting of both ALEC and independent LECs, across BellSouth's nine-state region.

BellSouth has offered independent LECs and other service providers access to its Toll Free Number database for years. The necessary methods and procedures for obtaining such access by ALECs are business as usual for BellSouth. Moreover, the availability of these services is evidenced by the fact that, from January 1997 through March 31, 2001, ALECs and other service providers across BellSouth's nine-state region completed approximately 8.2 billion queries to BellSouth's Toll Free Number database.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 11: SERVICE PROVIDER NUMBER PORTABILITY?

A. BellSouth ported 19,971 lines in Florida using Interim Number Portability ("INP"). However, as of May 22, 2001, BellSouth had converted 19,283 (97%) of those lines to Local Number Portability ("LNP"). In its region, BellSouth ported 117,010 numbers, of which 108,934 (93%) have been converted to LNP as of that same date.

As of March 31, 2001, BellSouth had ported 258,227 business directory numbers and 49,523 residence directory numbers in Florida using LNP. In its nine-state region, BellSouth has ported 1,113,649 business and 133,703 residence directory numbers as of March 31, 2001, which confirms the availability of LNP.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 12: LOCAL DIALING PARITY?

A. BellSouth's interconnection arrangements do not require any ALEC to use access codes or additional digits to complete local calls to BellSouth customers. Neither are BellSouth customers required to dial any access codes or additional digits to complete local calls to the customers of any ALEC.

While BellSouth is unable to determine the full extent of ALEC dialing policies, BellSouth is not aware of any complaints from ALEC customers that they are required to dial any access codes or additional digits to complete local calls.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 13: RECIPROCAL COMPENSATION?

A. Reciprocal compensation arrangements are provided for in BellSouth's interconnection agreements as well as through its SGAT. Reciprocal compensation is discussed further in the testimony of Cynthia Cox.

Q. WHAT EVIDENCE DOES BELLSOUTH HAVE THAT INDICATES IT IS IN COMPLIANCE WITH CHECKLIST ITEM 14: RESALE OF THE INCUMBENT LEC'S RETAIL TELECOMMUNICATIONS SERVICES AT A DISCOUNT?

A. As of March 31, 2001, there were 850,902 units being resold by ALECs in Florida while 3,002,701 were being resold throughout BellSouth's region.

PART B: COMPREHENSIVE DISCUSSION OF THE AVAILABILITY OF NETWORK-RELATED OFFERINGS TO ALECS.

CHECKLIST ITEM 1: INTERCONNECTION

The following issue was approved for consideration in this proceeding by the Florida Commission:

2. Does BellSouth currently provide interconnection in accordance with the requirements of Sections 251(c)(2) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(i) and applicable rules promulgated by the FCC?

   (a) Has BellSouth implemented physical collocation requests in Florida consistent with FCC rules and orders?

   (b) Does BellSouth have legally binding provisioning intervals for physical collocation?

   (c) Does BellSouth currently provide local tandem interconnection to ALECs?

   (d) Does BellSouth currently permit the use of a Percent Local Usage (PLU) factor in conjunction with trunking?

(e) Does BellSouth currently provide ALECs with meet point billing data?

(f) Has BellSouth satisfied other associated requirements, if any, for this item?

Q. GENERALLY DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 1.

A. According to the Federal Communications Commission ("FCC"), interconnection refers "to the physical linking of two networks for the mutual exchange of traffic." *Local Competition Order*, ¶ 176. Checklist Item 1 obligates BellSouth to provide ALECs access to points of interconnection that are equal in quality (as defined by 47 C.F.R. § 51.331) to what BellSouth provides itself, and that meet the same technical criteria and standards used in BellSouth's network for a comparable arrangement, except where a ALEC requests otherwise. 47 U.S.C. § 251(c)(2)(C) and (D) and 47 C.F.R. § 51.305(a)(3), (4).[1] As detailed below, BellSouth's interconnection agreements and its Florida SGAT fully satisfy this mandate.

Checklist item 1 has three requirements. First, BellSouth must provide interconnection at any technically feasible point in the carrier's network. Second, BellSouth must provide ALECs with interconnection that is at least equal in quality to that provided by BellSouth to itself. Third, BellSouth must provide interconnection on rates, terms and conditions

[1] *See also,* Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket Nos. 96-98 & 95-185, 11 FCC Rcd 15499, 15614 (1996) ("Local Competition Order"), modified on recon., 11 FCC Rcd 13042 (1996), vacated in part on other grounds sub nom. Iowa Utils. Bd. V. FCC, 120 F. 3d 753 (8th Cir. 1997), cert. granted sub nom. AT&T Corp. v. FCC, 118 S. Ct. 879 (1998).

that are just, reasonable and nondiscriminatory.

POINTS OF INTERCONNECTION

Q. DOES BELLSOUTH PROVIDE INTERCONNECTION AT ANY TECHNICALLY FEASIBLE POINT?

A. Yes. Local interconnection is available at any technically feasible point in BellSouth's network, including meet point interconnection arrangements, on terms and conditions that are just, reasonable and nondiscriminatory. 47 U.S.C. § 251(c)(2); 47 C.F.R. § 51.305(a)(2); *see* Interconnection Agreement Between BellSouth and e.spire Communications, Inc., effective July 2000 ("e.spire Agmnt."), GTC-A, § 7.0. Consistent with FCC rules, BellSouth makes interconnection available at the following points: line-side of the local end office switch; trunk-side of the local end office switch; trunk interconnection points for local end office and tandem switches; central office cross-connect points; out-of-band signal transfer points; and the points of access to unbundled elements. *See* Interconnection Agreement between BellSouth and DIECA Communications, Inc. d/b/a Covad Communications Co., effective December 1, 1998 ("Covad Agmnt."), Att. 3, § 1.2. ALECs have the option to interconnect at only one technically feasible point in each LATA. *See* Interconnection Agreement between BellSouth and Intermedia Communications Inc., effective October 3, 2000 ("Intermedia Agmnt."), Att. 3, § 1.2. In cases in which dual entrance points are available in a given central office building, and space is available, BellSouth will make dual entry facilities available to ALECs. *See* e.spire Agmnt., Att. 4, § 5.2.1. Moreover, an ALEC may request, via the Bona Fide Request ("BFR") process, to utilize another interconnection

point when it is determined to be technically feasible.[2] *See* Covad Agmnt., Att. 3, § 1.2.6; Intermedia Agmnt., Att. 3, § 1.1. BellSouth will provide ordering and provisioning of interconnection services that is equal to the ordering and provisioning services BellSouth provides to itself. *See* Intermedia Agmnt., Att. 6, § 1.1.

MEANS OF INTERCONNECTION

Q. WHAT MEANS OF INTERCONNECTION DOES BELLSOUTH OFFER?

A. BellSouth offers the following means of interconnection: (1) physical collocation; (2) virtual collocation; (3) assembly point arrangements; (4) fiber optic meet arrangements; and (5) interconnection via purchase of facilities from the other party. *See* Intermedia Agmnt., Att. 3, §§ 1.1; 1.11; 1.8; Att. 4; SGAT, § II.D.1 BellSouth provides equal-in-quality interconnection on terms and conditions that are just, reasonable, and nondiscriminatory in accordance with the requirements of Sections 251(c)(2) and 252(d)(1). Moreover, an ALEC may request, via the BFR process, to utilize another means of interconnection when it is determined to be technically feasible. *See* Interconnection Agreement Between BellSouth and ICG Telecom Group, Inc., effective August 18, 2000 ("ICG Agmnt.), Att. 3, § 1.1.

Q. DESCRIBE MULTIPLE TANDEM ACCESS (MTA).

A. BellSouth MTA provides for LATA-wide BellSouth transport and termination of ALEC-

[2] The BFR process, and the intervals associated with it, are addressed in the testimony of Cynthia Cox.

originated local and BellSouth transported intraLATA traffic by establishing a Point of Interconnection at a BellSouth access tandem with routing through multiple BellSouth access tandems as required. The terms and conditions for such offering are set forth in interconnection agreements. *See* e.g., Intermedia Agmnt., Att. 3, § 1.9; Interconnection Agreement Between BellSouth and DSL.net Communications, LLC, effective December 28, 1999, ("DSL.net Agmnt."), Att. 3, § 1.9.

INTERCONNECTION TRUNKS

Q. DESCRIBE THE TRUNKING ARRANGEMENTS AVAILABLE TO ALECS FOR ROUTING TRAFFIC.

A. BellSouth provisions, maintains and repairs interconnection trunks for ALECs in a manner that is equal in quality to the way in which BellSouth provisions trunks for its own services. 47 C.F.R. § 51.305(a)(3); *see also* Intermedia Agmnt., Att. 3, § 3.3; Interconnection Agreement Between BellSouth and TriVergent Communications, Inc. effective June 30, 2000 ("TriVergent Agmnt."), Att. 3, § 3.3. BellSouth designs its interconnection facilities to meet the same technical criteria and service standards that are used within its own network. *See* Intermedia Agmnt., Att. 3, §§ 3.2 – 3.4; Interconnection Agreement Between BellSouth and The Other Phone Company d/b/a Access One Communications, Inc., effective February 17, 2000 ("Access One Agmnt."), Att. 3, §§ 3.2-3.3. BellSouth offers ALECs various options to route local/intraLATA toll traffic and transit traffic over separate trunk groups or over a single trunk group. *See* Covad Agmnt., Att. 3; Intermedia Agmnt., Att. 3; ICG Agmnt., Att. 3, § 2.0; Interconnection Agreement between BellSouth and Florida Digital Network, Inc.,

effective July 1, 1998 ("FDN Agmnt."), Att. IV, § 1.

First, BellSouth provisions local/intraLATA toll trunks for traffic between ALEC end users and BellSouth end users or Wireless Service Providers and visa versa. Local traffic or local/intraLATA toll traffic may be delivered at the BellSouth local tandem, the BellSouth access tandem, or the BellSouth end office. Local/intraLATA toll trunks may use multi-frequency ("MF") or Signaling System 7 ("SS7") signaling and may be one-way or two-way. *See* TriVergent Agmnt., Att. 3, §§ 2.4; 2.5.2; 2.5.3; 2.5.4.

In addition, BellSouth provides transit trunks for traffic between an ALEC and a third party such as an Independent Company, Interexchange Carrier, or another ALEC (i.e. where a BellSouth end user is not involved). Transit trunk groups are generally two-way trunks, but may be built as one-way trunks. They may use MF or SS7 signaling. Transit intraLATA toll traffic from the ALEC must be delivered at the BellSouth access tandem. Transit local traffic may be delivered at the BellSouth access tandem or at the BellSouth local tandem. *See* TriVergent Agmnt., Att. 3, §§ 2.5.2; 2.5.3; 2.5.4; 2.5.5; Access One Agmnt., Att. 3, § 2.0.

If the ALEC chooses, additional trunk groups may be established for operator services, directory assistance, emergency services and intercept. *See* TriVergent Agmnt., Att. 3, § 2.5.2.1.

Q. ARE ALECS PURCHASING INTERCONNECTION TRUNKS?

A. Yes. As of March 31, BellSouth had provisioned 132,850 trunks interconnecting its

network with the networks of ALECs in Florida (that is, trunks from ALECs' switches to BellSouth's switches). In its nine-state region, BellSouth had installed 421,220 trunks from ALECs' switches to BellSouth's switches as of that same date. As of March 31, 2001, BellSouth had provided 203,850 two-way trunks (including transit trunks) to a total of 92 ALECs across BellSouth's nine-state region. In Florida, BellSouth has provided 64,132 two-way trunks (including transit trunks) to 52 ALECs.

Q. HOW DO ALECS REQUEST INTERCONNECTION TRUNKS?

A. ALECs request interconnection trunks by submitting an Access Service Request ("ASR") to BellSouth's Interconnection Purchasing Center ("IPC"). BellSouth established the IPC during the second quarter of 1998 to facilitate BellSouth's handling of ASRs submitted by the ALECs and payment of ALECs' reciprocal compensation charges. The IPC receives ASRs from the ALECs, captures information required for Carrier Access Billing System (CABS) billing purposes, screens the ASR for accuracy, and routes the ASR via the Telcordia (formerly Bell Communications Research, Inc. or "Bellcore") Exchange Access Control and Tracking ("EXACT") System to BellSouth's Circuit Capacity Management ("CCM") center. The BellSouth CCM Center establishes the trunk group identification for new trunk groups or increases the trunk quantities in BellSouth's mechanized systems in the case of trunk augmentations. The ASR is then forwarded via EXACT to BellSouth's Circuit Provisioning Group ("CPG"). The CPG is responsible for issuing required trunk and facilities orders to BellSouth's Network Infrastructure Support Center ("NISC"), which prepares required switch translations, and BellSouth's Local Interconnection Switching Center ("LISC"), which coordinates the testing and turn-up of the trunks. The LISC forwards the orders to BellSouth's Work Management Center

("WMC") and BellSouth's Field Work Groups ("FWGs") for testing and turn-up of the trunks. *See* ICG Agmnt., Att. 6, § 1.1 and BellSouth's Local Interconnection and Facility Based Ordering Guide.

From July 1999 through March 2001, BellSouth's IPC processed 1,935 orders from ALECs for interconnection trunks in Florida and processed 6,920 orders from ALECs across BellSouth's nine-state region.

Q. HOW DOES BELLSOUTH PROCESS ITS OWN TRUNK AUGMENTATIONS TO BELLSOUTH'S POINT OF INTERCONNECTION WITH ALECS?

A. For trunks originating on BellSouth's network and terminating on the ALEC's network, the process for establishing and augmenting trunks is the same as the ALEC process to establish interconnection trunks with BellSouth, except for the billing. The CCM issues an "external" ASR to the ALEC and an "internal" ASR to the IPC. The IPC screens the "internal" ASR for accuracy, and routes the ASR via the EXACT System to the CCM Center. The CCM Center establishes the trunk group identification for new trunk groups or increases the trunk quantities in BellSouth's mechanized systems in the case of trunk augmentations. The ASR is then forwarded via EXACT to the CPG. The CPG is responsible for issuing required trunk and facilities orders to the NISC, which prepares required switch translations, and BellSouth's LISC, which coordinates the testing and turn-up of the trunks. The LISC forwards the orders to BellSouth's Work Management Center and BellSouth's Field Work Groups for testing and turn-up of the trunks.

Q. DISCUSS BELLSOUTH'S PROCESS FOR FORECASTING THE NUMBER OF

TRUNKS REQUIRED TO PROVIDE INTERCONNECTION SERVICES.

A. All trunk forecasting and servicing for ALEC local and intraLATA toll trunk groups is based upon the same industry standard objectives that BellSouth uses for its own trunk groups. BellSouth uses the standard objective of two (2) percent overall call blocking during the time-consistent average busy hour in the busy season which consists of one (1) percent blocking from the end office to the local tandem and one (1) percent blocking from the local tandem to the end office. When an access tandem serves as the intermediary switch, the standard objective is one and one-half (1.5) percent overall blocking during the time-consistent average busy hour in the busy season. This consists of one-half (.5) percent blocking on the common transport trunk group from the end office to the access tandem and one (1) percent blocking from the access tandem to the end office.

BellSouth's forecasting process is designed to determine the amount of traffic that will be handled by each central office, and the number of trunks that will be required to carry that traffic during the forecast period (normally 5 years). BellSouth's General Trunk Forecast (the "GTF") is maintained daily and includes forecasts both for BellSouth traffic and ALEC traffic.

Twice a year, the BellSouth LISC initiates written requests for forecasts from all ALECs who have a presence in any of the nine BellSouth states. The forecasting periods cover January - June and July - December. The LISC provides the ALECs' forecasts to the BellSouth CCM Centers in each state. The ALEC forecasts are necessary in order to incorporate the ALEC's requirements into BellSouth's GTF.

To prepare the GTF, BellSouth begins with the number of trunks currently in service. BellSouth then calculates a growth factor (that is, the percentage of growth expected over the next forecast period as well as anticipated growth in traffic that may be generated by new services.) This data is measured using "busy hour" information, measured and gathered using a BellSouth system, the Network Information Warehouse, that conforms with national industry standards. BellSouth also adjusts for planned network rearrangements, such as switch replacements, relocations, or additions. The growth factor is then applied to the trunks currently in service.

As ALECs interconnect to BellSouth's network, the transitioning of traffic from BellSouth to the ALEC often requires more trunks than would normally carry the traffic in question when BellSouth was the sole provider of service. The purpose of the ALEC forecast is to identify locations and estimated quantities to be used in developing factors to account for these transitional effects in the network. After BellSouth's growth factor is applied to the trunks in service, BellSouth applies these transitional factors. After these adjustments for growth and transitional factors are taken into account, BellSouth's forecast is reflected in the GTF.

Q. DISCUSS THE FORECASTING RESPONSIBILITIES OF BELLSOUTH AND THE ALECS.

A. BellSouth and the ALECs are jointly responsible for forecasting, monitoring, and servicing all two-way trunk groups between the two networks. *See* TriVergent Agmnt., Att. 3, § 2.4. BellSouth is responsible for forecasting, monitoring, and servicing the one-way trunk groups terminating to ALECs. ALECs are responsible for forecasting,

monitoring and servicing the one-way trunk groups to BellSouth, including terminating, transit, operator services, directory assistance, and E911 trunks. *See* Access One Agmnt., Att. 3, § 2.8.4.1. Standard trunk traffic engineering methods are used as described in Bellcore document SR-TAP-000191, Trunk Traffic Engineering Concepts and Applications or as otherwise mutually agreed to by the parties.

BellSouth will use its best efforts in conjunction with the ALEC to create the most effective and reliable interconnected telecommunications network. *See* Intermedia Agmnt., Att. 3, § 3.1. BellSouth and the ALEC will meet periodically for the purpose of exchanging non-binding forecasts of their traffic and volume requirements for interconnection. *See* ICG Agmnt., Att. 3, § 3.6.2. Forecast meetings may be face-to-face, or by video or audio conference. *See* SGAT, §XVII.B; XVII.C.

In addition to, and not in lieu of, the required non-binding forecasts, BellSouth and the ALEC may negotiate a binding forecast that commits the forecast provider to purchase, and the forecast recipient to provide, a specified volume to be utilized as set forth in the binding forecast. The terms of such a binding forecast will be negotiated and may contain provisions regarding price, quantity, and liability for failure to perform. *See*, ICG Agmnt., Att. 3 § 3.6.4; SGAT, §XVII.D.

Q. DISCUSS BELLSOUTH'S PROCESS FOR FORECASTING SWITCH CAPACITY NEEDS.

A. BellSouth forecasts its switch capacity needs based on two inputs – the GTF and the access line forecast. As described above, the GTF is created using ALEC inputs. Thus,

ALEC plans are taken into account both in BellSouth's trunk forecasting and in its switch planning and forecasting processes. For most switches, the capacity managers generally schedule additions of trunk terminations to be completed and available for service by the time the currently installed trunk capacity reaches 97 percent utilization.

Some specific switches have been identified as candidates for trunk relief when the installed trunk capacity reaches 90 percent utilization. Candidate offices are those offices that meet the following criteria:

- End office digital switches
- Switches with 100 trunking DS1s currently installed (a DS1 contains 24 voice channels)
- Switches with growth of at least 75 trunking DS1s per year

Those offices that are candidates for relief at 90 percent are larger offices typically serving business customers, and likely to also have high usage between ALEC's switches and BellSouth's switches.

For tandem switches, the capacity managers schedule additions of trunk terminations to be completed and available for service by the time the currently installed trunk capacity reaches 85 percent utilization.

An addition of trunk terminations is scheduled to complete when the switch has reached its targeted trunk utilization percentage. In other words, BellSouth does not wait until that utilization percentage has been reached before triggering the addition. Once the capacity manager has determined the anticipated target exhaust date for a switch, the capacity manager subtracts an appropriate amount of time from that exhaust date to allow

for the equipment addition to be engineered, manufactured, shipped, and installed in the switch. Thus, BellSouth initiates the addition of trunk terminations well in advance of the targeted exhaust date. As discussed earlier, ALECs inform BellSouth of their anticipated traffic growth through the routine exchange of traffic forecasts.

Q. DOES BELLSOUTH MAKE INTERCONNECTION TRUNKS AVAILABLE ON A NONDISCRIMINATORY MANNER?

A. Yes. BellSouth's performance data for interconnection trunks will be addressed in the Commission's Commercial Data Review.

FIBER-MEET

Q. DESCRIBE THE FIBER-MEET ARRANGEMENT.

A. "Fiber-Meet" is an interconnection arrangement where by the parties physically interconnect their networks via an optical fiber interface (as opposed to an electrical interface) at which one party's facilities, provisioning, and maintenance responsibility begins and the other party's responsibility ends (i.e., at a Point of Interface). If an ALEC elects to interconnect with BellSouth pursuant to a fiber-meet arrangement, the ALEC and BellSouth shall jointly engineer and operate such. *See* e.spire Agmnt., Att. 3, § 1.11; TriVergent Agmnt., Att. 3, § 1.11.

COLLOCATION

Q. DOES BELLSOUTH MAKE SPACE AVAILABLE IN ITS PHYSICAL STRUCTURES TO FACILITATE THE INTERCONNECTION OF ITS NETWORK FACILITIES WITH THOSE OF ALECS?

A. Yes. Collocation is a process pursuant to which BellSouth permits ALECs to contract for space in BellSouth's premises so that ALECs may interconnect their network facilities with BellSouth's network facilities. BellSouth premises include land owned, leased, or controlled by BellSouth as well as any BellSouth network structure on such land housing network facilities. *See* e.spire Agmnt., Att. 4, § 1.2. BellSouth offers a variety of collocation arrangements as described below. Where technically feasible, BellSouth will make physical collocation available in any BellSouth structure that houses network facilities and has space available for collocation.

Q. DESCRIBE BELLSOUTH'S PHYSICAL COLLOCATION OFFERINGS.

A. BellSouth will provide to an ALEC at the ALEC's request, on a first-come, first-served basis, physical collocation under the same terms and conditions available to similarly situated carriers and on terms and conditions that are just, reasonable and non-discriminatory. 47 C.F.R. § 52.323 (f); SGAT, § II.B.7. Where sufficient space exists, ALECs can physically collocate in BellSouth premises to terminate ALEC cables on their own equipment. Physical Collocation is available at Central Offices, Serving Wire Centers and at Remote Sites and may be offered in the following types: Caged, Shared, (including shared cages), Cageless or Adjacent. *See* ICG Agmnt., Att. 4; Intermedia

Agmnt., Att. 4-FL, § 3; TriVergent Agmnt., Att. 4.

With physical collocation, equipment ownership, operation, maintenance and insurance are the responsibility of the collocator or its approved agent. BellSouth permits the collocation of any type of equipment that is directly related to and thus necessary, required, or indispensable for interconnection to BellSouth's network or for access to unbundled network elements in the provision of telecommunications services. *See* ICG Agmnt., Att. 4, § 1.3. In addition, BellSouth permits the physical collocation of microwave facilities when technically feasible for interconnection to BellSouth's network or for access to UNEs in the provision of telecommunications services. *See* SGAT, Attach. I. With physical collocation, BellSouth provides an interconnection point or points, physically accessible by both BellSouth and the requesting ALEC, at which the fiber optic cables carrying the ALEC's circuits enter BellSouth's premises. 47 C.F.R. § 51.323 (d)(1); ICG Agmnt., Att. 4, § 1.3. BellSouth will provide at least two interconnection points at each premises where there are at least two such interconnection points available and where capacity exists. *See* Intermedia Agmnt., Att. 4-FL, § 5.2.1. For purposes of collocation, the interconnection point is the point at which the ALEC enters BellSouth's premises, namely the manhole or the cable vault. *See* e.spire Agmnt., Att. 4, § 5.2.

Physical Collocation is a negotiated contract arrangement in all BellSouth states and also a tariffed service in Florida for the placement of collocator-owned facilities and equipment in BellSouth central premises. The terms and conditions pursuant to which BellSouth offers physical collocation are set forth in detail in the Affidavit of Wayne Gray, Attachment A; *see* also, Intermedia Agmnt., Att. 4; Covad Agmnt., Att. 4; ICG

Agmnt., Att. 4.

Q. IS BELLSOUTH PROVIDING PHYSICAL COLLOCATION IN FLORIDA?

A. Yes. In Florida, as of March 31, 2001, BellSouth had completed 1,498 physical collocation arrangements, with 37 in progress, for over 50 different ALECs, of which 845 are cageless physical collocation arrangements. Physical collocation arrangements were established in 135 different central offices out of a total of 196 central offices in Florida as of March 31, 2001. As of March 31, 2001, there were 5,303 physical collocation arrangements in place for ALECs throughout BellSouth's nine-state region. Of these, 3,353 were cageless physical collocation arrangements. An additional 161 physical collocation arrangements were in progress for over 43 different ALECs as of March 31, 2001. Exhibit WKM-1 is a summary of physical and virtual collocation arrangements currently in place or in progress in Florida and in BellSouth's nine-state region.

Q. DOES BELLSOUTH HAVE PROVISIONING INTERVALS FOR PHYSICAL COLLOCATION?

A. Yes. In Docket Nos. 981834-TP and 990321-TP, the Florida Commission established provisioning intervals for physical collocation. These intervals preempt the intervals established by the FCC. BellSouth will complete physical collocation space in Florida within 90 calendar days of receipt of a complete, accurate and error-free Bona Fide Firm Order, or as agreed to by the parties. *See,* Intermedia Agmnt., Att. 4-FL, § 6.6. For changes to collocation space after initial space completion, BellSouth will complete construction for collocation arrangements as soon as possible and within a maximum of

45 calendar days from receipt of a complete, accurate and error-free Bona Fide Firm Order ("BFFO"), or as agreed to by the parties. Id. BellSouth has incorporated these intervals into its SGAT, collocation tariff, and applicable interconnection agreements. BellSouth complies with all of the collocation requirements established by the FCC in its Collocation Order and the Collocation Reconsideration Order.

Q. DESCRIBE BELLSOUTH'S VIRTUAL COLLOCATION OFFERING.

A. Upon request of the ALEC, or when space is not available for physical collocation, BellSouth offers virtual collocation in accordance with the existing BellSouth Tariff FCC Number 1, Section 20, "Virtual Expanded Interconnection Service", as contemplated by Paragraph 826 of the *Local Competition Order*, 11 FCC Rcd at 15912. *See* Interconnection Agreement between BellSouth and NPCR, Inc., d/b/a Nextel Partners, effective December 15, 1999 ("NPCR Agmnt."), § V.A. Virtual collocation is a tariffed service offering in section 20 of BellSouth's Florida Dedicated Access Tariff. Virtual collocation provides for the placement of collocator-owned transmission equipment and facilities in BellSouth central offices for the interconnection to the BellSouth network. Such equipment must be necessary for the provision of telecommunications services and may include, but not be limited to, optical terminating equipment and multiplexers, digital subscriber line access multiplexers ("DSLAM"), routers, asynchronous transfer mode ("ATM") multiplexers, and remote switching modules. Virtual collocation arrangements may interconnect to designated BellSouth tariffed services, local interconnection trunks and/or unbundled network elements. BellSouth will provide virtual collocation in a manner that permits ALECs to combine UNEs. With virtual collocation, BellSouth provides an interconnection point or points, physically accessible

by both BellSouth and the requesting ALEC, at which the fiber optic cables carrying the ALEC's circuits enter BellSouth's premises. 47 C.F.R. § 51.323(d)(1). BellSouth will perform all maintenance and repair on virtual collocation equipment once the collocator requests such work. BellSouth will install, maintain and repair collocated equipment in the same manner as BellSouth provides for its own equipment. The terms and conditions pursuant to which BellSouth provides virtual collocation are set forth in detail in the Affidavit of Wayne Gray, Attachment A.

Q. IS BELLSOUTH PROVIDING VIRTUAL COLLOCATION IN FLORIDA?

A. Yes. In Florida, as of March 31, 2001, there were 142 virtual collocation arrangements in service, however there were three (3) virtual collocation arrangements in progress located in 74 different BellSouth central offices. Those central offices are located in 20 cities in Florida. Across BellSouth's nine-state region, over 40 different ALECs have requested and BellSouth had provided 361 virtual collocation with construction of an additional 26 arrangements underway as of March 31, 2001. Exhibit WKM-1 is a summary of physical and virtual collocation arrangements currently in place or in progress in Florida and in BellSouth's nine-state region.

Q. DOES BELLSOUTH HAVE INTERVALS FOR VIRTUAL COLLOCATION?

A. Yes. In Docket Nos. 981834-TP and 990321-TP, the Florida Commission established provisioning intervals for virtual collocation. These intervals preempt the intervals established by the FCC. Virtual collocation space will be completed within 60 calendar days of BellSouth's receipt of the ALEC's complete, accurate and error-free BFFO. *See*

SGAT, § II.B.7.

OTHER INTERCONNECTION METHODS

Q. DOES BELLSOUTH OFFER MEANS OTHER THAN COLLOCATION FOR INTERCONNECTION?

A. Yes. BellSouth also offers assembly point arrangements. Assembly point arrangements allow an ALEC to combine UNEs without physical or virtual collocation. *See* SGAT, § II.D.1. The assembly point is a cross connection device to which BellSouth will deliver UNEs requested by ALECs using the arrangement. In this arrangement, BellSouth will supply all of the equipment required by the ALEC to access UNEs.

1997 ORDER

Q. HAS BELLSOUTH ADEQUATELY MET THE CONCERNS OF THE FLORIDA COMMISSION SET FORTH IN THE 1997 ORDER?

A. Yes. In the *1997 Order*, the Florida Commission concluded that the "primary problem with physical collocation is that no requests have been implemented." As demonstrated above, as of March 31, 2001, BellSouth has provisioned 1,498 physical collocation arrangements in Florida, and has 37 more arrangements in progress. Moreover, BellSouth makes physical collocation available in compliance with its SGAT, applicable interconnection agreements, and this Commission's Order in Docket Nos. 981834-TP and 990321-TP.

Second, the Commission expressed concerns regarding trunk blockage for ALEC traffic. Specifically, the Commission stated that "both parties need to improve communications with respect to potential fluctuations in traffic." *1997 Order*, at 59. As evidenced by my testimony, BellSouth has detailed forecasting procedures in place to ensure that it provisions sufficient trunks to handle ALEC traffic. The Commission also requested from BellSouth "data sufficient to show that blockage levels are comparable between BellSouth and ALEC traffic." *1997 Order*, at 59. BellSouth reports monthly trunk blockage information as part of its Service Quality Measurements. This data will be reviewed as part of the Commission's Commercial Data review.

The Commission also required in the *1997 Order* that BellSouth provide local tandem interconnection without imposing a BFR requirement. As discussed above, BellSouth complies with this requirement. *See* ICG Agmnt., Att. 3, §§ 1.5; 1.10; e.spire Agmnt., Att. 3, § 1.10. An ALEC may select either basic or enhanced local tandem interconnection. Basic local tandem interconnection allows ALECs to terminate traffic to BellSouth's end office switches and wireless service provider switches within the area served by the tandem. Enhanced local tandem interconnection adds the ability to terminate traffic to other ALEC and independent company switches in the area served by the tandem. *See* ICG Agmnt., Att. 3, §§ 1.5; 1.10; SGAT, § I.A.5. As of March 31, 2001, BellSouth has provided 984 local tandem interconnection trunks to a total of three (3) ALECs in Florida.

Finally, the Commission stated in the *1997 Order* that BellSouth was required to provide ALECs with two-way trunking. *See* FDN Agmnt., Att. IV, § 1.1. As discussed above, BellSouth is in compliance with that requirement, and, as of March 31, 2001, has

provided 203,850 two-way trunks (including transit trunks) to a total of 92 ALECs across its nine-state region. In Florida, BellSouth has provided 64,132 two-way trunks (including transit trunks) to 52 ALECs.

CHECKLIST ITEM 2: NONDISCRIMINATORY ACCESS TO NETWORK ELEMENTS

The following issue was approved for consideration in this proceeding by the Florida Commission:

3. Does BellSouth currently provide nondiscriminatory access to all required network elements, with the exception of OSS which will be handled in the third party OSS test, in accordance with Sections 251(c)(3) and 252(d)(1) of the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(ii) and applicable rules promulgated by the FCC?

   (a) Does BellSouth currently provide all required unbundled network elements at TELRIC-based prices?

   (b) Has BellSouth satisfied other associated requirements, if any, for this item?

Q. GENERALLY DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 2.

A. BellSouth meets the requirements of Checklist Item 2 if it offers access and

interconnection that includes "[n]ondiscriminatory access to network elements in accordance with the requirements of Section 251(c)(3) and 252(d)(1)." 47 U.S.C. § 271(c). Section 251(c)(3) requires BellSouth to provide ALECs with nondiscriminatory access to UNEs at any technically feasible point on rates, terms and conditions that are just, reasonable, and nondiscriminatory. This section also requires BellSouth to provide UNEs in a manner that allows ALECs to combine such elements in order to provide a telecommunications service. As detailed below, BellSouth's interconnection agreements and its Florida SGAT satisfy these obligations. BellSouth's provision of access to Operations Support Systems ("OSS") functions will be addressed in the Commission's Third Party Test.

As required by 47 C.F.R. § 51.307, BellSouth provides to a requesting ALEC (for the provision of telecommunications service) nondiscriminatory access to network elements on an unbundled basis at any technically feasible point which is at least equal in quality to the access BellSouth provides to itself. *See* e.spire Agmnt., GTC-A, § 6.0. These network features provide the ALEC access to all features, functions and capabilities of the network elements in a manner that allows the ALEC to provide any telecommunications service that the network element is capable of providing. *See* Intermedia Agmnt., Att. 2, § 1.1. Each network element BellSouth provides to ALECs is at a level of quality and performance that is at least equal to that which BellSouth provides to itself. *See* ICG Agmnt., GTC-A, § 4.0

BellSouth shall provide ordering and provisioning of UNEs to ALECs that are equal in quality to the ordering and provisioning services BellSouth provides to itself or any other ALEC. *See* Intermedia Agmnt., Att. 6, § 1.1. As required by the FCC, and as set forth in

its interconnection agreements and its SGAT, BellSouth makes available nondiscriminatory access to the following unbundled elements at Total Element Long Run Incremental Cost ("TELRIC") rates approved by the Florida Public Service Commission:

Local loop, including sub-loops and the high frequency portion of the loop
Loop concentration in BellSouth central offices
Simple Loop + Port Combinations
Loop + Transport Combinations
Network Interface Device ("NID")
Local switching capability
Tandem switching capability
Interoffice transmission facilities
Digital cross connection capability
Signaling networks and call-related databases
Operations support systems functions
Local channel
Channelization
Dark fiber
Loop conditioning

See FDN Agmnt., Att. III, § 2.7; Intermedia Agmnt., Att. 2, § 1.1; ICG Agmnt., Att. 2. BellSouth also provides access to the facilities or functionality of network elements separately from access to other network elements and for a separate charge. 47 C.F.R. § 51.307(d); *see* e.spire Agmnt., Att. 2, § 1.1. BellSouth will utilize its best efforts to

obtain coextensive third party intellectual property rights for CLECs using UNEs.

Requesting ALECs are entitled to exclusive use of an unbundled network element, and to the use of its features, functions, or capabilities, for a set period of time. 47 C.F.R. § 51.309(c); FDN Agmnt., Att. III, § 2.9. BellSouth, however, retains ownership of the facility and remains obligated to maintain, repair or replace the network element as necessary.

ALECs may provide telecommunications services wholly through BellSouth's UNEs, without using any facilities of its own. The terms and conditions pursuant to which BellSouth provides access to UNEs are offered equally to all requesting ALECs. 47 C.F.R. § 51.313(a). Moreover, as discussed more fully in the testimony of Cynthia Cox, filed concurrently herewith, the "Most Favored Nation" clause in BellSouth's interconnection agreements and the provisions of 47 U.S.C. § 252(i) allow an ALEC to adopt terms, conditions and prices of another ALEC's contract in accordance with the FCC's rules. *See* ICG Agmnt., GTC-A, § 14.1.

With the exception of the NID, the minimum set of network elements are required separately by the checklist and therefore will be discussed in later sections of my testimony. The NID, however, will be discussed in this section, as will UNE combinations.

Q. DESCRIBE THE NID OFFERING.

A. The NID is a cross-connect device used to connect BellSouth's loop facilities to a

customer's inside wiring. The NID contains connection points to which the service provider and the end user customer each make their connections. *See* ICG Agmnt., Att. 2, § 2.3.2.1. When the ALEC provides its own facilities, the ALEC will provide its own NID and thereby interface to the customer's inside wire through the customer chamber of the BellSouth NID. 47 C.F.R. § 51.319(2); Interconnection Agreement between BellSouth and AT&T Communications of the Southern States, Inc., effective June 10, 1997 ("AT&T Agmnt."), Att. 2, § 4.1.1.1.1. This method of access has been referred to as the "NID-to-NID" method, in that the ALEC connects its NID to the BellSouth NID and thereby gains connectivity between the ALEC's loop and the customer's inside wire. As a second method, an ALEC may connect its loop directly to any available spare terminal in the BellSouth NID and thereby gain access to the customer's inside wire. 47 C.F.R. § 51.319(2); *see also* ICG Agmnt., Att. 2, § 2.3; Intermedia Agmnt, Att. 2, § 4.0. Any upgrades or rearrangements to the NID required by the ALEC are performed by BellSouth based on time and materials charges. In situations in which no spare terminals are available in the BellSouth NID, the ALEC may remove BellSouth's loop from BellSouth's NID in order to terminate the ALEC's loop to BellSouth's NID. *See* ICG Agmnt., Att. 2, § 2.3.2.6. As of March 31, 2001, no ALEC had requested an unbundled NID in Florida or anywhere in BellSouth's nine-state region.

Where an ALEC obtains local loops as a UNE from BellSouth, BellSouth also provides the NID. BellSouth connects the drop wire, where present, between the loop distribution facilities and the NID at no additional charge to the ALEC. *See* Covad Agmnt., Att. 2, § 2.2.1.

At multiple dwelling units or multiple-unit business premises, BellSouth will provide,

where technically feasible, a Single Point of Interconnection ("SPOI") that is suitable for use by multiple carriers. *See* Intermedia Agmnt., Att. 2, §§6.2.1.5; 6.7.1.

Q. HAS BELLSOUTH PROVIDED ACCESS TERMINALS TO ALECS IN FLORIDA AND IN ITS NINE-STATE REGION FOR THE PURPOSE OF GAINING ACCESS TO SUB-LOOP ELEMENTS?

A. No. BellSouth has not provisioned any such access terminals to ALECs in Florida because none have been requested; however, BellSouth has provisioned over 80 access terminals across its nine-state region.

Q. MAY AN ALEC TEST THE UNES IT IS OBTAINING FROM BELLSOUTH PRIOR TO TURNING UP A CUSTOMER'S SERVICE?

A. Yes. Each ALEC may perform testing of its UNEs using whatever methods it deems appropriate in light of its network configuration. BellSouth will provide UNEs to each ALEC's collocation arrangement at the specified level of quality. BellSouth has tested and confirmed its ability to provide UNEs to requesting ALECs.

Q. DESCRIBE BELLSOUTH'S CROSS-CONNECT OFFERING.

A. Cross connections are the facility by which BellSouth extends its network to the point of access selected by an ALEC, as described above. The FCC's *Local Competition Order* required incumbent LECs to provide such facilities and stated that the LEC could recover the costs associated with providing cross connections. *See* Intermedia Agmnt., Att. 2, §

2.2.2. Cross connections are wires or fibers or equipment that connect one piece of equipment to another on a semi-permanent basis. For instance, some cross connections are made by a simple pair of copper wires called a jumper. Different loop options require different types of cross connections. In fact, several cross connections may be required for many of the options. BellSouth offers the following types of loop cross connects:

- Cross connect to Digital Cross-connect System ("DCS")
- Cross connect to Multiplexer/Interoffice transport
- Cross connect to collocation arrangement
- Cross connect to switch port

In addition, BellSouth offers the choice of three types of cross connects with subloop elements. The applicable cross connects are as follows:

- Two wire
- Four wire
- Dark fiber

Cross connections must also be used with Unbundled Dedicated Transport ("UDT"). The dedicated transport cross connects are the equipment needed to connect the interoffice dedicated transport transmission facilities to the point of access.

The following cross connects are available with UDT:

- Voice grade 2-Wire
- Voice grade 4-Wire
- Digital 56/64 Kilobits per second (Kb/s)
- DS1
- DS3
- OC3

- OC12
- OC48 (Only between BellSouth offices)
- Dark fiber

Q. DESCRIBE BELLSOUTH'S DIGITAL CROSS CONNECT OFFERING.

A. A DCS is an electronic device that provides the capability of rearranging circuits on high-speed facilities without the need to de-multiplex the signals. Without DCS, signals cannot be exchanged between high-speed circuits without returning all of the circuits to analog electrical signals. BellSouth offers DCS in conjunction with the unbundled dedicated transport element with the same functionality that is offered to interexchange carriers or with additional functionality as provided in a BellSouth/ALEC interconnection agreement. 47 C.F.R 51.319 (d)(2)(iv); *See* Intermedia Agmnt., Att. 2, § 8.1.1(4).

BellSouth provides ALECs three types of port DCS configurations as follows:

- DS0 channel port termination.
- DS1 channel port termination.
- DS3 channel port termination.

BellSouth provides the cross connects necessary to extend Dedicated Transport facilities to points of access designated by the ALEC. 47 C.F.R. § 51.319(d)(2)(iii). In addition to the standard arrangements, the ALEC may request new or additional unbundled transport elements via the BFR process.

COMBINATIONS OF UNES

Q. GENERALLY DESCRIBE BELLSOUTH'S COMBINATION OFFERINGS.

A. BellSouth provides access to UNEs in a manner that allows requesting carriers to access preexisting combinations of network elements as well as to combine UNEs for themselves. *See* ICG Agmnt., Att. 2, § 1.3. BellSouth provides ALECs access to a variety of means by which ALECs may combine network elements, including caged, cageless and shared collocation, *see* TriVergent Agmnt., Att. 4, § 3, and an Assembly Point arrangement. *See* SGAT, § II.D.1. BellSouth also offers other technically feasible methods of combining UNEs via the BFR process. *See* ICG Agmnt., GTC-A, § 6.0. Each of these options is described more fully in my testimony on checklist item 1, and collocation is described more fully in the Affidavit of Wayne Gray, attached hereto as Attachment A.

Q. DOES BELLSOUTH OFFER PREEXISTING COMBINATIONS OF UNES TO ALECS?

A. Yes. Pursuant to an order of the Florida Commission, except upon request, BellSouth will not separate requested network elements where such elements are physically combined and providing service to a particular customer at a particular location. *See* SGAT, § II.D; ICG Agmnt., Att. 2, § 1.9.1.1; Intermedia Agmnt., Att. 2 §§18.0; 19.0.

The rates for these UNE combinations are addressed in the testimony of Cynthia Cox. Ms. Cox also addresses the conditions pursuant to which BellSouth offers the Enhanced

Extended Link ("EEL").

Q. MAY ALECS COMBINE UNES THEMSELVES?

A. Yes. BellSouth provides access to UNEs in a manner that allows requesting carriers to combine those elements. ALECs may use either physical collocation (including caged; shared cage; cageless; and adjacent, where space is not available), virtual collocation arrangements, *see* Intermedia Agmnt., Att. 4, § 3 or assembly point arrangements to combine UNEs. In addition, ALECs may request other technically feasible methods of combining UNEs through the BFR. *See* Intermedia Agmnt., GTC-A, § 5.0.

The UNE combination is effectuated as follows: BellSouth will wire each UNE to the tie cable and pair running between BellSouth's distributing frame and the ALEC's collocation arrangement as designated by the ALEC on its UNE order. For example, both the loop and the switch port are terminated on the Main Distribution Frame ("MDF") within the BellSouth central office. Upon request of the ALEC, BellSouth will wire the loop to the tie cable and pair facility designated on the unbundled loop order. Likewise, BellSouth will wire the unbundled switch port to the tie cable and pair designated on the unbundled switch port order. In the case of physical collocation, BellSouth's wiring of the UNEs to the tie cable and pair interconnection facilities designated by the ALEC correlates to the pre-designated positions on the interconnection point (that is, BellSouth's distributing frame) serving the collocation arrangement. The ALEC may complete the combination via connections within its collocation arrangement either manually or electronically, at the election of the ALEC. These connections within the ALEC's collocation arrangement may be pre-wired or established on an as-needed basis at the election of the ALEC. To facilitate UNE combinations using virtual

collocation, the ALEC may employ any of several options that include, but are not limited to: pre-wired terminations on the ALEC's transmission equipment; use of the ALEC's electronic digital cross-connection facilities or other means of performing cross-connections remotely; or connections on a per request basis.

An example of using pre-wired terminations might include the ALEC's arranging the pre-wiring of connector block "position 100" to "position 200", "position 101" to "position 201" and so forth. Should the ALEC wish to combine two elements, such as the combining of an unbundled loop with an unbundled switch port, the ALEC would specify the BellSouth cable and pair assignment correlating to "position 100" on the unbundled loop order and would specify the BellSouth cable and pair assignment correlating to "position 200" on the unbundled switch port order. With "position 100" and "position 200" having been pre-connected, the UNEs would thus be combined once BellSouth completes its connection of each of the UNEs ordered to the designated interconnection facility cable and pair assignments.

Q. IT APPEARS THAT THE DISTRIBUTION FRAME IS AN ESSENTIAL COMPONENT OF AN ALEC'S ABILITY TO COMBINE UNES. CAN BELLSOUTH ACCOMMODATE THE ALECS' DEMAND FOR DISTRIBUTING FRAME CONNECTOR BLOCKS?

A. Yes. BellSouth can fully accommodate demand for new distributing frame connector blocks for ALECs. While space on distributing frames is a finite resource, this is not a consequence of local competition. Because of increasing retail demand, BellSouth has for many years been faced with the possible exhaustion of space on distributing frames

within its central offices. This increasing demand is evidenced by the fact that in 1988 there were roughly one million access lines in the Miami Metropolitan Statistical Area ("MSA"); through December 2000, there were over 1.5 million access lines in the Miami MSA, a 50 percent increase in over eleven years. BellSouth has always effectively met the challenges of increased demand -- a fact no party contests. For example, in the years 1999-2000, BellSouth completed eleven (11) additions to its conventional main distribution frames and COSMIC main distribution frames in Florida. Also, BellSouth has never denied any ALEC's request for a UNE because of a lack of main distribution frame connector blocks. BellSouth likewise will continue to make needed additions to its distributing frames on a nondiscriminatory basis, as with other facilities such as switches and loop facilities, to accommodate ALECs' needs.

Q. HAS BELLSOUTH PROVIDED ALECS WITH PREEXISTING UNE COMBINATIONS?

A. Yes. As of March 31, 2001, BellSouth had 71,588 loop and port combinations in place for ALECs in Florida and 303,257 such combinations in place for ALECs across BellSouth's nine-state region. In addition, BellSouth had 1,196 loop and transport combinations in place for ALECs in Florida.

Q. DESCRIBE THE MEANS BY WHICH ALECS MAY COMBINE INDIVIDUAL UNES OBTAINED FROM BELLSOUTH WITH THE ALEC'S OWN FACILITIES.

A. An ALEC may also use its physical collocation arrangement to combine UNES that the ALEC acquires from BellSouth with the ALEC's own equipment or facilities. BellSouth

will extend UNEs to an ALEC's physical collocation arrangement and will terminate those UNEs in such a way as to allow the ALEC to provide any cross connections or other required wiring within the collocation arrangement in order to effect the combination. In such an arrangement, the ALEC is responsible for making any necessary cross connections within the physical collocation arrangement, for example, by making cross connections at a frame or cross connection block within the physical collocation arrangement. As noted above, the ALEC may choose to "pre-wire" these connections in anticipation of BellSouth's providing the UNEs, thereby eliminating the need to establish these connections during the customer cutover process.

For example, BellSouth will deliver both unbundled loops and unbundled dedicated transport facilities to the ALEC's collocation arrangement. The ALEC is then free to cross-connect the loop and transport facilities in any manner it chooses. Similarly, BellSouth will deliver unbundled loops and unbundled switch ports to any ALEC's collocation arrangement and, again, the ALEC may cross-connect the unbundled loop and unbundled switch port in any manner the ALEC desires.

In order to combine network elements in their collocation arrangements, ALECs will use the same types of cross-connections that BellSouth regularly uses thousands of times every day in its retail operations. When BellSouth connects a new customer to its network, it uses cross-connections to combine facilities, just as ALECs may do. In its retail operations, BellSouth regularly uses multiple cross-connections between loops and switch ports, as well as on Intermediate Distribution Frames ("IDFs"), and provides high quality transmission performance on the resulting service. ALECs' use of cross-connections to combine network elements into an operational network is a routine

part of local telephone operations and precisely analogous to the manner in which BellSouth establishes service to a customer premises not previously served by its own network.

Q. HAS BELLSOUTH ADDRESSED THE CONCERNS OF THE FLORIDA COMMISSION REGARDING THIS CHECKLIST ITEM AS EXPRESSED IN THE 1997 ORDER?

A. In the *1997 Order*, the Florida Commission expressed two concerns with respect to Checklist item (2), namely that BellSouth had not demonstrated that it can provide mechanically generated billing statements for all UNEs and that BellSouth has not provided detailed access usage detail for billing purposes. Both of these concerns will be addressed in the Commission's Third Party Test.

As my testimony makes clear, BellSouth provides nondiscriminatory access to UNEs at any technically feasible point. Moreover, as the units of service reflect, ALECs are purchasing UNEs from BellSouth in large numbers to enter the local market in Florida.

CHECKLIST ITEM 3: ACCESS TO POLES, DUCTS, CONDUITS, AND RIGHTS-OF-WAY

The following issue was approved for consideration in this proceeding by the Florida Commission:

4. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 224 of the Communications

Act of 1934, as amended by the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(iii). Does BellSouth currently provide nondiscriminatory access to the poles, ducts, and conduits, and rights-of-way owned or controlled by BellSouth at just and reasonable rates in accordance with the requirements of Section 224 of the Communications Act of 1934 as amended by the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(iii) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 3.

A. Section 271(c)(2)(B)(iii) of the Act requires BellSouth to provide nondiscriminatory access to poles, ducts and conduits and rights of way to ALECs when requested. The FCC found that BellSouth had met all requirements for Checklist Item 3 in the *Second Louisiana Order*. BellSouth's procedures and processes described in that application are the same as those that are used in Florida. In the *1997 Order*, the Florida Commission found that "the procedures for providing access to cable companies. . . have been in effect for years" and that there was no "evidence...to indicate that this process will not work for telecommunications companies." *1997 Order,* at 100. From this evidence the Commission concluded that BellSouth met the requirements of this checklist item. In Section III of the SGAT, and in various negotiated and arbitrated agreements, BellSouth continues to offer nondiscriminatory access to poles, ducts, conduits and rights-of-way in a timely fashion as discussed in the Affidavit of Linda Kinsey, Attachment B. In short, nothing material has changed since 1997 that would cause the Commission to reach a different conclusion than it reached in the *1997 Order*.

Q. ARE ALECS USING BELLSOUTH'S POLES, DUCTS, CONDUITS, AND RIGHTS-OF-WAY?

A. Yes. As of May 17, 2001, ALECs in Florida had executed with BellSouth 51 license agreements and 103 license agreements region-wide, (both state-specific and multi-state) that allow them to attach their facilities to BellSouth's poles and to place their facilities in BellSouth's ducts and conduits. Since July 1997, BellSouth has received 338 requests in Florida for access to poles, ducts, conduits, and rights-of-way from 26 ALECs with no requests being denied. Similarly, ALECs have leased approximately 195,000 feet of conduit space in BellSouth's nine-state region as a result of ALEC requests, of which 31,000 feet are in Florida.

CHECKLIST ITEM 4: LOCAL LOOP

The following issue was approved for consideration in this proceeding by the Florida Commission:

5. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(iv) of the Telecommunications Act of 1996. Does BellSouth currently provide unbundled local loop transmission between the central office and the customer's premises from local switching or other services, pursuant to Section 271(c)(2)(B)(iv) and applicable rules and orders promulgated by the FCC?

(a) Does BellSouth currently provide all currently required forms of unbundled loops?

(b) Has BellSouth satisfied other associated requirements, if any, for this item?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 4.

A. Checklist Item (4) requires that BellSouth provide local loop transmission from the central office to the customer's premises, unbundled from local switching or other services. 47 U.S.C. § 271(c)(2)(B)(iv). In its *1997 Order*, the Florida Commission found that "since the evidence indicates that BellSouth has provided, and competitors have received, this checklist item, we find that BellSouth has met the requirements of § 271(c)(2)(B)(iv)." *See 1997 Order*, at 104. BellSouth continues to provide nondiscriminatory access to local loop transmission on an unbundled basis and has procedures in place for the ordering, provisioning, and maintenance of unbundled loops.

Q. DESCRIBE THE UNBUNDLED LOOPS BELLSOUTH MAKES AVAILABLE TO ALECS.

A. The local loop network element is defined as a dedicated transmission facility between a distributing frame (or its equivalent) in a BellSouth central office and the loop demarcation point at an end user customer's premises. The local loop network element includes all features, functions and capabilities of the transmission facility, including dark

fiber and attached electronics (except those electronics used for the provision of advanced services, such as Digital Subscriber Line Access Multiplexers or "DSLAMs"), and loop conditioning. 47 C.F.R. § 51.319(a). BellSouth allows ALECs to access unbundled loops at any technically feasible point. BellSouth provides ALECs access to unbundled local loops in a manner that allows an efficient competitor a meaningful opportunity to compete.

BellSouth makes the following loop types available to ALECs and has provided the following quantities in Florida as of March 31, 2001:

- SL1 voice grade loops (33,084)
- SL2 voice grade loops (68,270)
- 2-wire ISDN digital grade loops (5,939)
- 2-wire ADSL loops (4,279)
- 2-wire HDSL loops (108)
- 4-wire HDSL loops (2)
- 4-wire DS-1 digital grade loops (2,584)
- 56 or 64 Kbps digital grade loops (0)
- UCL (Long and Short) loops (2,579)
- DS3 Loops (0)
- UCL-ND (0)

ALECs may request additional loop types through the BFR process. BellSouth provides access to loops at any technically feasible point with access to all features, functions, and capabilities unbundled from other UNEs; without any restrictions that impair use by ALECs; for an ALEC's exclusive use; and in a manner that enables ALECs to combine

loops with other UNEs. *See* ICG Agmnt., Att. 2. Moreover, BellSouth offers local loop transmission of the same quality and same equipment and technical specifications used by BellSouth to service its own customers.

Q. ARE ALECS PURCHASING UNBUNDLED LOOPS FROM BELLSOUTH?

A. Yes. As of March 31, 2001, BellSouth had provisioned 116,845 unbundled loops to over 40 ALECs in Florida. In BellSouth's nine-state region, BellSouth had provisioned 353,992 unbundled loops as of that same date.

Q. DOES BELLSOUTH OFFER UNBUNDLED LOOPS SERVED BY INTEGRATED DIGITAL LOOP CARRIER ("IDLC") TECHNOLOGY?

A. Yes. IDLC is a special version of DLC that does not require the host terminal in the central office (sometimes referred to as the Central Office Terminal or "COT"), but instead terminates the digital transmission facilities directly into the central office switch. The design of IDLC technology means that it is impossible to separate the loop from the switch because the switch performs the control and functions normally performed by the host terminal. In the Texas decision, the FCC found that "the BOC must provide competitors with access to unbundled loops regardless of whether the BOC uses integrated digital loop carrier (IDLC) technology or similar remote concentration devices for the particular loops sought by the competitor." *SWBT*, ¶ 248. BellSouth provides access to such IDLC loops via the following methods:

Alternative 1: If sufficient physical copper pairs are available, BellSouth will

reassign the loop from the IDLC system to a physical copper pair.

Alternative 2: Where the loops are served by Next Generation Digital Loop Carrier (NGDLC) systems, BellSouth will "groom" the integrated loops to form a virtual Remote Terminal (RT) set-up for universal service (that is, a terminal which can accommodate both switched and private line circuits). "Grooming" is the process of arranging certain loops (in the input stage of the NGDLC) in such a way that discrete groups of multiplexed loops may be assigned to transmission facilities (in the output stage of the NGDLC). Both of the NGDLC systems currently approved for use in BellSouth's network have "grooming" capabilities.

Alternative 3: BellSouth will remove the loop distribution pair from the IDLC and re-terminate the pair to either a spare metallic loop feeder pair (copper pair) or to spare universal digital loop carrier equipment in the loop feeder route or Carrier Serving Area (CSA). For two-wire ISDN loops, the universal digital loop carrier facilities will be made available through the use of Conklin BRITEmux or Fitel-PMX 8uMux equipment.

Alternative 4: BellSouth will remove the loop distribution pair from the IDLC and re-terminate the pair to utilize spare capacity of existing Integrated Network Access (INA) systems or other existing IDLC that terminates on DCS equipment. BellSouth will thereby route the requested unbundled loop channel to a channel bank where it can be de-multiplexed for delivery to the requesting ALEC or for termination in a DLC channel bank in the central office for concentration and subsequent delivery to the requesting ALEC.

Alternative 5: When IDLC terminates at a peripheral capable of serving "side-door/hairpin" capabilities, BellSouth will utilize this switch functionality. The loop will remain terminated directly into the switch while the "side-door/hairpin" capabilities allow the loop to be provided individually to the requesting ALEC.

Alternative 6: If a given IDLC system is not served by a switch peripheral that is capable of side-door/hairpin functionality, BellSouth will move the IDLC system to switch peripheral equipment that is side-door capable.

Alternative 7: BellSouth will install and activate new Universal DLC ("UDLC") facilities or NGDLC facilities and then move the requested loop from the IDLC to these new facilities. In the case of UDLC, if growth will trigger activation of additional capacity within two years, BellSouth will activate new UDLC capacity to the distribution area. In the case of NGDLC, if channel banks are available for growth in the CSA, BellSouth will activate NGDLC unless the DLC enclosure is a cabinet already wired for older vintage DLC systems.

Alternative 8: When it is expected that growth will not create the need for additional capacity within the next two years, BellSouth will convert some existing IDLC capacity to UDLC.

See e.g. Intermedia Agmnt., Att. 2, § 3.0.

Because certain circuits cannot be supported via an IDLC system in those instances where NGDLC is installed, BellSouth normally reserves some NGDLC capacity to

support those special service circuits (both its own and those of ALECs) through a universal DLC arrangement based on site-specific forecasts. BellSouth does not reserve loops served by NGDLC for its own purposes, and does not restrict ALEC access to BellSouth loops. BellSouth will construct (via the special construction process) the facilities necessary to provide unbundled loops to requesting ALECs in the small number of cases in which none of these methods is viable. *See* Intermedia Agmnt., Att. 2, § 3.1.1.

Q. DESCRIBE BELLSOUTH'S UNIVERSAL DIGITAL CARRIER LOOP OFFERING.

A. BellSouth provides ALECs the Universal Digital Carrier ("UDC") capable loop. This loop gives ALECs the ability to arrange the individual channels of an ISDN line such that it appears to the end user to be a single channel of 144 Kbps. Some ALECs have referred to such an arrangement as ISDN Digital Subscriber Line (IDSL) service.

Q. DOES BELLSOUTH OFFER LOOP CONDITIONING?

A. Yes. BellSouth offers loop conditioning in accordance with applicable FCC rules and orders. Loop conditioning is defined as the removal from the loop of any devices that may diminish the capacity of the loop to deliver high-speed switched wireline telecommunications capability, including xDSL service. BellSouth provides loop conditioning for unbundled loops, whether or not BellSouth offers advanced services to the end-user on that loop. *See* Intermedia Agmnt., Att. 2, § 2.4; SGAT, § IV.H. BellSouth's loop conditioning offer is described fully in the testimony of Wiley (Jerry) G. Latham.

Q. ARE ALECS PURCHASING LOOP CONDITIONING?

A. Yes. Through March 2001, ALECs in Florida made 13 requests for loop conditioning; however, across BellSouth's region as of that same date there were a total of 59 requests.

Q. DOES BELLSOUTH OFFER SUB-LOOP ELEMENTS IN COMPLIANCE WITH CHECKLIST ITEM 4?

A. Yes. In addition to the unbundled loops themselves, BellSouth offers ALECs nondiscriminatory access to sub-loop elements. A sub-loop unbundled network element is an existing portion of the loop that can be accessed at accessible points on the loop. An accessible point on the loop is where technicians can access the copper wire or fiber within the cable without removing a splice case to reach the wire or fiber within. This includes any technically feasible point near the customer premises (such as the pole or pedestal, the NID, or minimum point of entry ("MPOE") to the customer's premises), the feeder distribution interface ("FDI"), the MDF, remote terminals, and various other terminals. BellSouth offers loop concentration/multiplexing as a sub-loop element. BellSouth also provides unbundled access to the sub-loop elements loop feeder, loop distribution, intrabuilding network cable, and network terminating wire. Details about how these sub-loop elements are provided may be found at BellSouth's Interconnection website:

http://www.interconnection.bellsouth.com/products/unes.html

Q. ARE ALECS PURCHASING SUB-LOOP ELEMENTS?

A. Yes. ALECs in Florida have purchased over 500 unbundled sub-loop elements.

Q. DOES BELLSOUTH PROVIDE ACCESS TO DARK FIBER?

A. Yes. BellSouth also provides access to unused transmission media, which in some cases is referred to as "dark fiber". *See* e.spire Agmnt., Att. 2, § 14. BellSouth provides dark fiber in the subscriber loop segment of the network and in the dedicated interoffice transport segment of the network as a UNE when the ALEC has collocation space in a central office housing a BellSouth tandem or end office switch. BellSouth uses standardized forms to allow an ALEC to determine dark fiber availability via a service inquiry and to order dark fiber via a local service request. BellSouth will use its best efforts to confirm the availability of dark fiber within ten (10) business days of receipt of a service inquiry. BellSouth will use its best efforts to provide dark fiber to the ALEC within thirty (30) business days from the receipt of a complete, accurate and error-free local service request. BellSouth will either grant the request and issue an appropriate lease or deny the request. Availability is limited by fibers in use by BellSouth or its customers, maintenance spares, number of defective fibers present, and the number of fibers for which BellSouth has specific documented plans within a two year period. BellSouth has, where appropriate, executed non-disclosure agreements and agreed to share documents with ALECs in order to demonstrate BellSouth's specific documented plans. To exercise its right of revocation, BellSouth must demonstrate that the subject dark fiber is needed to meet BellSouth's bandwidth requirements or the bandwidth requirements of another local service provider. BellSouth's dark fiber interoffice service terminates on a standard Light Guide Cross-connect ("LGX") termination at both ends.

The dark fiber subscriber loop service terminates on a standard LGX in the subscriber's Serving Wire Center. A collocation cross-connect is used to provide connectivity between the dark fiber and the ALEC's collocation space. *See*, Intermedia Agmnt., Att. 2, § 14.

Q. ARE ALECS PURCHASING DARK FIBER?

A. Yes. BellSouth has two (2) dark fiber arrangements in place in Florida. BellSouth has four (4) dark fiber arrangements in place in one (1) other state within BellSouth's nine-state region.

Q. DOES BELLSOUTH OFFER ALECS LINE SHARING?

A. Yes. BellSouth provides ALECs with access to the high frequency portion of the local loop as a UNE in compliance with the FCC's *Line Sharing Order*. The high frequency of the loop is defined as the frequency range above the voice band on a copper loop facility carrying analog circuit-switched voice band transmissions where the incumbent LEC is the voice provider. *See* Covad Agmnt. 4/25/00 Amend. BellSouth will provide requesting carriers access to the high-frequency portion of the loop at the remote terminal location as well as at the central office. Line Sharing is discussed in the testimony of Tommy G. Williams.

Q. ARE ALECS PURCHASING LINE SHARING?

A. Yes. As of April 1, 2001, BellSouth had provisioned 2,542 line sharing arrangements

across BellSouth's nine-state region and 714 line sharing arrangements in Florida.

Q. DOES BELLSOUTH PROVIDE ACCESS TO LOOP MAKEUP INFORMATION?

A. Yes. BellSouth provides ALECs access to information regarding a given loop's characteristics, including loop length, wire gauge, loop medium (copper of fiber), and information regarding any bridged tap, load coil, or repeaters present on the loop. Manual access to LMU information is described in the testimony of Wiley (Jerry) G. Latham. *See* also, Covad Agmnt. Amend., § 2.2.10.

Q. ARE ALECS ACCESSING LOOP MAKEUP INFORMATION?

A. Yes. In March 2001, ALECs made 4,841 mechanized LMU inquiries region-wide. In Florida, ALECs made 1,409 mechanized LMU inquiries. From November 2000 through March 2001, ALECs made 683 manual LMU inquiries region-wide, and 234 in Florida.

Q. DOES BELLSOUTH PROVIDE XDSL LOOPS TO ALECS?

A. Yes. As discussed earlier, BellSouth provides ALECs with various types of xDSL loops including the 2-wire Asymmetrical Digital Subscriber Line (ADSL), the 2-wire and 4-wire High-bit-rate Digital Subscriber Line (HDSL), 2-wire ISDN and Unbundled Copper Loops. *See* Intermedia Agmnt. Att. 2, § 2.3; 2.5; Covad Agmnt., Amend., § 2.2.9. Finally, BellSouth offers nondiscriminatory access to loop makeup information so that ALECs can determine whether or not existing loop facilities can support the desired xDSL service. BellSouth's xDSL loops, line conditioning and loop qualification

offerings are discussed in detail in the testimony of Wiley (Jerry) G. Latham.

Q. ARE ALECS ORDERING XDSL LOOPS?

A. Yes. As of March 31, 2001, in Florida, BellSouth had provisioned 4,279 two-wire ADSL loops and 108 two-wire HDSL loops to over 40 different ALECs in Florida. As of the same date, BellSouth had provisioned within its region 14,102 two-wire ADSL loops, 451 two-wire HDSL loops, and 46 four-wire HDSL loops to over 90 different ALECs.

Q. DOES BELLSOUTH FACILITATE LINE SPLITTING?

A. Yes. BellSouth will work cooperatively with ALECs to develop rates, methods and procedures to operationalize a process whereby two ALECs, one being a provider of voice services and the other being a provider of data services may provide service over the same loop. *See* SGAT, § II.B.9(2). Line Splitting is discussed in detail in the testimony of Tommy Williams.

Q. ARE ALECS ORDERING LINE SPLITTING?

A. No, not at this time. As stated above, however, BellSouth will facilitate line splitting for any ALEC that requests it.

CHECKLIST ITEM 5: LOCAL TRANSPORT

The following issue was approved for consideration in this proceeding by the Florida Commission:

6. Does BellSouth currently provide unbundled local transport on the trunk side of a wireline local exchange carrier switch from switching or other services, pursuant to Section 271(c)(2)(B)(v) and applicable rules promulgated by the FCC?

(a) Does BellSouth currently provide billing for usage-sensitive UNEs?

(b) Has BellSouth satisfied all other associated requirements, if any, for this item?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 5.

A. Checklist Item 5 requires BellSouth to offer access to the local transport network element on the trunk side of a wireline local exchange carrier switch unbundled from switching or other services. 47 U.S.C. § 271(c)(2)(B)(v). Local transport consists of BellSouth interoffice transmission facilities dedicated to a particular customer or carrier, or shared by more than one customer or carrier, that provide telecommunications between wire centers owned by BellSouth or an ALEC or third parties acting on behalf of an ALEC, or between switches owned by BellSouth or an ALEC or third parties acting on behalf of an ALEC. BellSouth provides both types of local transport, namely dedicated and common (also called "shared."). *See* Intermedia Agmnt., Att. 2, § 8.0. BellSouth complies with the obligations of this checklist item, both through its interconnection agreements and

through its SGAT.

Dedicated transport consists of BellSouth transmission facilities dedicated to a particular customer or carrier that provide telecommunications between wire centers owned by BellSouth or ALECs, or between switches owned by BellSouth or ALECs. *See* Intermedia Agmnt., Att. 2, § 8.1(1).

Common transport is interoffice transmission facilities, shared between BellSouth and one or more ALECs, that connect end office switches, end office switches and tandem switches, or tandem switches, in BellSouth's network. This definition of common transport assumes the interconnection point between the two carriers' networks is at BellSouth's switch. *See* Intermedia Agmnt., Att. 2, § 8.1 (3).

With respect to dedicated transport, BellSouth does the following: (1) provides unbundled access to dedicated transmission facilities between BellSouth's central offices or between such central offices and serving wire centers ("SWCs"); between SWCs and interexchange carriers points of presence ("POPs"); between tandem switches and SWCs, end offices, or tandems of BellSouth and the wire centers of BellSouth and requesting carriers; (2) provides all technically feasible transmission capabilities such as DS1, DS3, and Optical Carrier (OCn) levels that the competing carrier could use to provide telecommunications, including the necessary electronics; (3) does not limit the facilities to which dedicated interoffice transport facilities are connected, provided such interconnections are technically feasible, or restrict the use of unbundled transport facilities; and (d) to the extent technically feasible, provides requesting carriers with access to digital cross-connect functionality in the same manner that the BellSouth offers

such capabilities to IXCs that purchase transport services. *See* Intermedia Agmnt., Att. 2, §. 8.0.

In addition, ALECs can use dedicated transport to provide any transmission-specific service to the extent technically feasible.

With respect to common transport, BellSouth does the following: (1) provides common transport in a way that enables the traffic of requesting carriers to be carried on the same transport facilities that BellSouth uses for its own traffic; (2) provides common transport transmission facilities between end office switches, between BellSouth's end office and tandem switches; and between tandem switches in BellSouth's network; (3) permits requesting carriers that purchase unbundled common transport and unbundled switching to use the same routing table that is resident in BellSouth's switch; and (4) permits requesting carriers to use common (or dedicated) transport as an unbundled element to carry originating traffic from, and terminating traffic to, customers to whom the requesting carrier is also providing local exchange service. *See* Intermedia Agmnt., Att. 2, § 8.0.

In the *Second Louisiana Order*, the FCC found that BellSouth complies with the requirements of this checklist item by making available dedicated and common transport between end offices, between tandems, and between tandems and end offices.[3] BellSouth continues to make both dedicated and shared transport available to ALECs on a

[3] Despite its favorable conclusion on BellSouth's provision of local transport, the FCC declined to approve this checklist item on the grounds that BellSouth had failed to make a prima facie showing that it provides nondiscriminatory access to OSS for the ordering and provisioning of dedicated and shared transport facilities. These issues will be addressed in the Commission's Third Party Test.

nondiscriminatory basis and has procedures in place for the ordering, provisioning, and maintenance of both dedicated and shared interoffice transport.

In addition to the types of local transport currently offered by BellSouth, an ALEC may request new or additional unbundled transport elements using the BFR process. *See* e.spire Agmnt., GTC-A, § 15.

Q. ARE ALECS ORDERING LOCAL TRANSPORT?

A. Yes. As of March 31, 2001, BellSouth had provided 3,336 dedicated local transport trunks to ALECs in Florida. BellSouth has provided 10,907 dedicated trunks providing interoffice transport to ALECs in its nine-state region as of that same date.

For common transport, specific counts of trunks providing service to ALECs cannot be determined. This is because, as the name (common transport) implies, all trunks in a given trunk group are available for carrying service for any carrier which uses that group, including BellSouth and in some cases multiple ALECs. However, BellSouth can state that as of from July 1999 to March 31, 2001, there were 52 ALECs in Florida and 92 in BellSouth's nine-state region using common transport to some degree.

Q. HAS BELLSOUTH ADDRESSED THE FLORIDA COMMISSION'S CONCERNS REGARDING THIS CHECKLIST ITEM SET FORTH IN THE 1997 ORDER?

A. The only concerns raised by the Florida Commission in the *1997 Order* regarding this checklist item were BellSouth's perceived failure to comply with either the requirement

to bill usage sensitive UNEs using the CABS billing system or to provide ALECs CABS-formatted bills. These issues will be addressed in the Commission's Third Party Test and in the testimony of David Scollard, filed concurrently herewith.

CHECKLIST ITEM 6: LOCAL SWITCHING

The following issue was approved for consideration in this proceeding by the Florida Commission:

7. Does BellSouth currently provide unbundled local switching from transport, local loop transmission, or other services, pursuant to Section 271(c)(2)(B)(vi) and applicable rules promulgated by the FCC?

   (a) Does BellSouth bill for unbundled local switching on a usage-sensitive basis?

   (b) Does BellSouth currently provide unbundled local switching on both the line-side and the trunk-side of the switch?

   (c) Has BellSouth satisfied other associated requirements, if any, for this item?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 6.

A. The Act requires BellSouth to offer access to "[l]ocal switching unbundled from transport, local loop transmission, or other services." 47 U.S.C. § 271(c)(2)(B)(vi).

Local switching is the network element that provides the functionality required to connect the appropriate originating lines or trunks wired to the main distributing frame ("MDF") or to the digital cross connect panel to a desired terminating line or trunk. Local switching encompasses line-side and trunk-side facilities, plus the features, functions and capabilities of the switch. *See* Intermedia Agmnt., Att. 2, § 7.1.1.1.

The line-side facilities include the connection between a loop termination at, for example, a main distributing frame, and a switch line card. 47 C.F.R. § 51.319(c)(1)(i)(A). The trunk-side facilities include the connection between, for example, trunk termination at a trunk-side cross connect panel and a trunk card. 47 C.F.R. § 51.319 (c)(1)(i)(B). The functionality of BellSouth's local circuit switching offerings includes all of the features, functions and capabilities provided for the particular port type, including features inherent to the switch and the switch software. Local circuit switching also provides access to additional capabilities such as common and dedicated transport, out of band signaling, 911, operator services, directory services, repair service, as well as AIN and similar capabilities.

Because BellSouth obligates itself to provide common transport, it, by definition, provides ALECs with shared trunk ports, and the routing table that instructs the call to follow a specified path. *See Second Louisiana Order*, ¶ 228 ("BellSouth is obligated to provide shared trunk ports and the routing tables necessary to get to the shared trunk port as a consequence of its legal obligation to provide shared transport.")

In addition, if ALECs want unbundled switching in conjunction with dedicated transport, ALECs likewise have access to BellSouth's routing tables.

Q. DOES BELLSOUTH PROVIDE ACCESS TO VERTICAL SERVICES AND FEATURES?

A. Yes. BellSouth's local circuit switching offerings include access to the vertical services and features the switch is capable of providing. All vertical features loaded in a circuit switch are available to ALECs, whether or not BellSouth offers such features to its retail customers. Features loaded but not activated and features not loaded in the circuit switch may be requested through the BFR process. *See* Intermedia Agmnt., Att. 2, § 7.1.2; *Second Louisiana Order*, ¶ 220 ("we find that a BOC can require a requesting carrier to submit a request for such a vertical feature through a predetermined process that give the BOC an opportunity to ensure that it is technically feasible and otherwise develop the necessary procedures for ordering those features.")

Q. DOES BELLSOUTH PROVIDE FEATURE GROUP D SIGNALING IN CONJUNCTION WITH THE PROVISIONING OF UNBUNDLED LOCAL SWITCHING?

A. Yes. BellSouth will provide an ALEC with its choice of signaling format, including Feature Group D signaling, to the extent technically feasible.

Q. DOES BELLSOUTH PROVIDE ACCESS TO PACKET SWITCHING?

A. Pursuant to Rule 51.319, BellSouth will provide ALECs packet switching as a UNE in situations in which each of the following conditions is satisfied:

(1) BellSouth has deployed digital loop carrier systems, including but not limited

to, integrated digital loop carrier or universal digital loop carrier systems; or has deployed any other system in which fiber optic facilities replace copper facilities in the distribution section (*e.g.*, end office to remote terminal, pedestal or environmentally controlled vault);

(2) There are no spare copper loops capable of supporting xDSL services the ALEC seeks to offer;

(3) BellSouth has not permitted an ALEC to deploy a Digital Subscriber Line Access Multiplexer in the remote terminal, pedestal or environmentally controlled vault or other interconnection point, nor has the requesting carrier obtained a virtual collocation arrangement at these subloop interconnection points as defined in 47 C.F.R. § 319(b); and

(4) BellSouth has deployed packet switching for its own use.

See Intermedia Agmnt., Att. 2, § 7.3; SGAT, § VI.D.

Q. DOES BELLSOUTH PROVIDE ACCESS TO TANDEM SWITCHING?

A. Yes. BellSouth's unbundled tandem switching element meets all the requirements of the FCC's Rules. Tandem switching is defined as trunk-to-trunk connection facilities, including but not limited to the connection between trunk terminations at a cross connect panel and a switch trunk card; the basic switching function of connecting trunks to trunks; and all technically feasible functions that are centralized in tandem switches (as distinguished from separate end office switches), including but not limited to call recording, the routing of calls to operator services, and signaling conversion features. 47 C.F.R. § 51.319(c)(2); *see* Intermedia Agmnt., Att. 2, § 7.1.1.3. Tandem switching provides trunk to trunk connections for local calls between two end office switches,

including two office switches belonging to different ALECs. To the extent that all signaling is SS7, tandem switching preserves Custom Local Area Switched Services (CLASS) features and Caller ID as calls are processed. BellSouth performs testing through the tandem switching element for ALECs in the same manner and frequency that it performs such testing for itself. To the extent that BellSouth manages traffic congestion for tandem switching for itself, it also manages it for ALECs using unbundled tandem switching, including congestion points such as those caused by radio station call-ins, and network routing abnormalities, using capabilities such as Automatic Call Gapping, Automatic Code Gapping, Automatic Congestion Control, and Network Routing Overflow.

Q. ARE ALECS ORDERING UNBUNDLED LOCAL SWITCHING?

A. Yes. As of March 31, 2001, BellSouth had 30 unbundled switch ports in service in Florida. Region-wide, BellSouth had 388 unbundled switch ports in service as of that same date. Additionally, in connection with its combined loop/port combination offering, BellSouth had 71,588 switch ports in service in Florida and 303,257 in service regionally.

Q. DOES BELLSOUTH OFFER CUSTOMIZED ROUTING IN COMPLIANCE WITH THE FCC'S REQUIREMENTS?

A. Yes. Customized routing (which is also referred to as selective routing) permits requesting carriers to designate the particular outgoing trunks that will carry certain classes of traffic originating from competitors' customers. *See Second Louisiana Order*, ¶ 221. One specific use of customized routing is to allow calls from an ALEC's

customers served by a BellSouth switch to reach the ALEC's choice of operator service or directory assistance service platforms which may be BellSouth's operator service and directory assistance service platforms or the ALEC's platforms or the platforms of a third party provider. Customized routing can be provided when an ALEC acquires unbundled local switching from BellSouth or resells BellSouth's local exchange services. BellSouth offers two methods of customized routing to ALECs: Advanced Intelligent Network ("AIN") and Line Class Codes ("LCCs"). *See* SGAT, § X.A.3(f); Intermedia Agmnt., Att. 2, §§ 7.2.1.15; 7.2.1.16. BellSouth has tested both methods and both currently are available.

Q. DESCRIBE THE AIN METHOD OF CUSTOMIZED ROUTING BELLSOUTH OFFERS.

A. BellSouth's AIN method uses a database of the ALEC's routing choices queried during call set up. The AIN method of customized routing allows the use of the AIN "hub" concept, which yields several advantages. The AIN hubbing arrangement:

- Allows the use of appropriate AIN "triggers" for all call types rather than only a limited set of call types.
- Allows even those end office switches that are not AIN-capable to use the AIN customized routing solution.
- Optimizes the use of trunk groups by allowing the carriage of customized routing traffic over common trunk groups between the end office and the AIN hub.

Thus, the AIN hubbing arrangement allows the use of the AIN method in all switches,

even those that are not AIN capable. Also, the AIN hubbing arrangement allows the sharing of trunk groups that some ALECs have stated they prefer.

Q. DID BELLSOUTH RECENTLY COMPLETE AN ENHANCEMENT TO THE AIN METHOD?

A. Yes. BellSouth completed an enhancement to its AIN method that further automates the means by which ALECs' routing information may be updated. End-to-End call-through testing was successfully completed on June 14, 2000. BellSouth then completed all methods and procedures for the service offering during the third quarter 2000, and posted a Market Service Description (MSD) to its interconnection website on October 23, 2000.

Q. ARE ALECS USING THE AIN METHOD OF CUSTOMIZED ROUTING?

A. To date, no ALEC has requested BellSouth's AIN method of customized routing. BellSouth stands ready to provide the AIN method upon request.

Q. DESCRIBE THE LCC METHOD OF CUSTOMIZED ROUTING.

A. In the LCC method, which is the method by which BellSouth routes its own end users' calls, end user calls are routed via the use of a LCC in the switch. For example, an ALEC's end users served by a BellSouth switch are configured such that when the end user dials 0-, a Line Attributes Table points to another table, a Position Table for 0- calls. This table in turn identifies a trunk group to the appropriate operator services platform. For calls requiring a number pretranslation such as 411 or 611, the Line Attributes Table

points the call to the appropriate pretranslator table, and this table then points the call to the appropriate destination. A separate line class code is not needed for each end user for each function, but rather the same line class code can be used for multiple subscribers. The same LCC connects each of them to the same destination for the same type of call. *See* e.g. Intermedia Agmnt., Att. 2, §§ 7.2.1.15; 7.2.1.16.

Availability of customized routing capability using LCCs is offered on a first-come, first-served basis. This method permits the passage of intraLATA toll and interLATA operator services traffic to interexchange carriers over Feature Group D trunks at the ALEC's option. While there are finite limits on the number of line class codes in particular central office switches, BellSouth has not denied any request for customized routing based on lack of LCC capacity. Moreover, the AIN method of customized routing eliminates any potential exhaust concerns about the LCC method of customized routing.

Q. ARE ALECS USING THE LCC METHOD OF CUSTOMIZED ROUTING?

A. Yes. BellSouth has provided the LCC method of customized routing to one ALEC in Georgia. No ALEC in Florida has requested this method of customized routing; BellSouth, however, stands ready to provide it.

Q. HOW IS THE AIN METHOD OF CUSTOMIZED ROUTING DIFFERENT THAN THE LCC METHOD?

A. The AIN method allows the use of shared trunk groups (for those ALECs using the AIN

method) between the end office switch and the AIN hub switch to accomplish customized routing for customers served by different end offices subtending a particular AIN hub. In contrast, the LCC solution, discussed below, requires a separate trunk group for each end office due to the inherent technical limitations of the switches. This separate trunk group may be shared, however, by those ALECs requesting the same branding or unbranding of their respective end users' OS/DA traffic. BellSouth uses separate trunk groups between its end office switches and BellSouth's operator services and directory assistance platforms for calls from BellSouth's end users.

Q. DO BELLSOUTH'S CUSTOMIZED ROUTING SOLUTIONS MEET THE FCC'S REQUIREMENTS?

A. Yes. In the *Second Louisiana Order*, the FCC discussed the ALECs' ability to route its customers' calls. Specifically, the FCC held that "BellSouth should not require the competitive LEC to provide the actual line class codes, which may differ from switch to switch, if BellSouth is capable of accepting a single code region-wide." *Second Louisiana Order*, ¶ 224. In compliance with this obligation, BellSouth will implement one routing pattern per region for an ALEC's customers. In addition, although it is not required to do so, BellSouth voluntarily will provide a single routing pattern on a state-wide basis. This single routing pattern (whether region-wide or state-wide) can include routing to a BellSouth platform (branded or unbranded), an ALEC platform, or a third-party platform.

To avail itself of the single routing pattern, the ALEC need not put any LCC on its local service requests ("LSRs"). Such orders will be handled electronically (assuming, of

course, that they would not otherwise fall out for manual handling) and therefore will need no manual intervention.

This line class code routing arrangement is identical to that provided to the BellSouth retail units. On its retail side, BellSouth has a single region-wide routing pattern for its customers' calls that is effectuated without the service representative having to populate the LCC on the service order. Likewise, BellSouth will provide a single routing pattern for ALECs that is effectuated without the ALEC service representative having to populate the LCC on the order.

If, on the other hand, the ALEC chooses to have different routing options available for different customers served out of the same switch, BellSouth will handle such requests on a manual basis. In this scenario, the ALEC will provide information on the LSR designating the appropriate LCCs to direct the call for those of the ALEC's end users for which the single routing plan will not be used. Although submitted electronically, such as order will fall out for manual handling and BellSouth will process it manually. The FCC specifically recognized that ALECs who wish to have multiple routing patterns in the same switch should bear the obligation to populate the requisite LCCs on the LSR. Specifically, the FCC held as follows:

> We agree with BellSouth that a competitive LEC must tell BellSouth how to route its customers' calls. If a competitive LEC wants all of its customers' calls routed in the same way, it should be able to inform BellSouth, and BellSouth should be able to build the corresponding routing instructions into its systems just as BellSouth has done for itself. If, however, a competitive LEC has more than one

set of routing instructions for its customers, it seems reasonable and necessary for BellSouth to require the competitive LEC to include in its order an indicator that will inform BellSouth which selective routing pattern to use.

Second Louisiana Order, ¶ 224. As described above, BellSouth is in full compliance with these obligations.

For those LSRs on which the ALECs populate the LCCs for specific routing patterns, BellSouth will process them in a timely manner. Such orders will be counted in the "partially mechanized" category of performance data that will be reviewed in the Commission's Commercial Data Review.

Q. HAS BELLSOUTH MET THE CONCERNS OF THE FLORIDA COMMISSION SET FORTH IN THE 1997 ORDER?

A. The Florida Commission raised two concerns in the *1997 Order*. First, the Commission concluded that BellSouth did not demonstrate that it can bill for unbundled local switching on a usage-sensitive basis. This issue is addressed in the testimony of David Scollard, filed concurrently herewith. Second, the Commission concluded that BellSouth did not demonstrate that its unbundled local switching included both the line side and trunk side capabilities. As I demonstrated above, BellSouth makes both sides of the switch available to ALECs, and therefore the Commission's concerns should be alleviated.

CHECKLIST ITEM 7: 911/E911, DIRECTORY ASSISTANCE AND OPERATOR CALL COMPLETION

The following issue was approved for consideration in this proceeding by the Florida Commission:

8. Does BellSouth currently provide nondiscriminatory access to the following, pursuant to Section 271(c)(2)(B)(vii) and applicable rules promulgated by the FCC:

(i) 911 and E911 services;

(ii) directory assistance services to allow other telecommunications carrier's customers to obtain telephone numbers; and

(iii) operator call completion services?

(a) Does BellSouth currently provide ALECs access to all information contained in BellSouth's directory listing database?

(b) Does BellSouth currently provide selective routing in Florida?

(c) Has BellSouth satisfied other associated requirements, if any, for this item?

Q. PLEASE DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 7.

A. BellSouth provides to ALECs access to 911/E911 services, directory assistance services, and operator call completion services at a level of quality and performance that is at least equal to that which BellSouth provides to itself. *See* Intermedia Agmnt., Att. 2, § 16.2.4. In the *1997 Order*, the Florida Commission found that BellSouth "is providing nondiscriminatory access to 911 in compliance with checklist item vii." *1997 Order*, at 113. The Commission also concluded that "billing usage for directory assistance is nondiscriminatory," *1997 Order*, at 116, and that BellSouth provides nondiscriminatory access to operator call completion services. Finally, the Commission concluded that BellSouth is providing nondiscriminatory access to white pages listings. *1997 Order*, at 122.

911/E911

Q. DOES BELLSOUTH PROVIDE NONDISCRIMINATORY ACCESS TO 911 AND E911 SERVICES?

A. Yes. Section 271(c)(2)(B)(vii) of the Act requires a Bell Operating Company such as BellSouth to provide "[n]ondiscriminatory access to --- (I) 911 and E911 services. In the *Ameritech Michigan Order*, the FCC held that a BOC "must maintain the 911 database entries for competing LECs with the same accuracy and reliability that it maintains the database entries for its own customers" and that for facilities-based carriers, BellSouth must provide "unbundled access to [its] 911 database and 911 interconnection, including the provision of dedicated trunks from the requesting carrier's switching facilities to the

911 control office at parity with what [BellSouth] provides to itself." *Ameritech Michigan Order*, ¶ 256.

Q. DESCRIBE THE MEANS BY WHICH BELLSOUTH OFFERS ALECS ACCESS TO BELLSOUTH'S E911 DATABASE.

A. The BellSouth E911 database contains end user subscriber information that is useful to emergency service agencies in locating a customer dialing 911 for dispatching appropriate emergency services. The database contains information such as customer name, service address, class and type of service. BellSouth has had procedures in place since early 1996 by which ALECs can connect their switches to BellSouth's E911 tandems. Because methods and procedures have long been in place to allow other carriers, including independent LECs, access to BellSouth's E911 and 911 updating capabilities, the necessary methods and procedures for obtaining such updating by ALECs have been business as usual for BellSouth. *See* Intermedia Agmnt., Att. 2, § 16.0.

BellSouth's provision of nondiscriminatory access to the E911 database as well as procedures for updating and maintaining the E911 database both for ALEC and BellSouth end users are described in the Affidavit of Ms. Val Sapp, Attachment F.

In the *Second Louisiana Order*, the FCC found that BellSouth satisfied the requirements of Checklist Item (vii)(I). There has been no material change in BellSouth's provision of 911/E911 since that decision and thus the Commission should find BellSouth in compliance.

Q. ARE ALECS ACCESSING BELLSOUTH'S E911 DATABASE?

A. Yes. As of March 31, 2001, ALECs had requested and BellSouth had provided 1,078 such trunks for ALECs in Florida. In its nine-state region, BellSouth had 4,400 trunks in service connecting ALECs' switches with BellSouth's E911 arrangements as of that same date. In Florida, 38 ALECs were sending mechanized updates to BellSouth for inclusion in the 911 database as of March 31, 2001; and in BellSouth's nine-state region, 66 ALECs were doing so as of that same date. These mechanized updates include information about both end user customers to whom ALECs provide service via the resale provisions of the Act as well as those end user customers to whom ALECs provide service from the ALECs' own switches.

DIRECTORY ASSISTANCE/OPERATOR SERVICES

Q. WHAT ARE BELLSOUTH'S OBLIGATIONS WITH RESPECT TO DIRECTORY ASSISTANCE AND OPERATOR SERVICES?

A. Section 271(c)(2)(B)(vii)(II) and (III) of the Act requires BellSouth to provide nondiscriminatory access to "directory assistance services to allow the other carrier's customers to obtain telephone numbers" and "operator call completion services," respectively. Section 251(b)(3) obligates BellSouth to permit ALECs to have nondiscriminatory access to operator services, directory assistance and directory listing with no unreasonable dialing delays. BellSouth, however, is no longer obligated to provide operator and directory assistance services as a UNE because BellSouth provides customized routing as discussed earlier.

Q. DOES BELLSOUTH PROVIDE DIRECTORY ASSISTANCE SERVICE IN A NONDISCRIMINATORY MANNER?

A. Yes. BellSouth provides directory assistance access service to ALECs in the same manner as it does for its own retail subscribers. *See* Intermedia Agmnt., Att. 2, § 10.3; ICG Agmnt., Att. 2, §8.3. Specifically, BellSouth provides ALECs with DAAS. DAAS allows ALECs' end users to obtain telephone listing information from BellSouth. ALECs also have access to BellSouth's DACC service, which gives the ALEC's end user the option to have a call to BellSouth's DA service completed automatically. Facilities-based ALECs obtain access to these services through trunks connecting the ALEC's point of interface to BellSouth's DA platform.

Q. ARE ALECS USING DAAS AND DACC?

A. Yes. As of March 31, 2001, ALECs in Florida had 1,031 directory assistance trunks in place between those ALECs' switches and BellSouth's DA platform. In BellSouth's nine-state region, there were 2,929 such directory assistance trunks in place serving ALECs. In BellSouth's nine-state region, 30 ALECs were purchasing DAAS and 41 ALECs were purchasing DACC from BellSouth as of March 31, 2001. Because methods and procedures have long been in place to allow other carriers, such as independent LECs, access to BellSouth's DAAS and DAAC services, the necessary methods and procedures for obtaining such access by ALECs are business as usual for BellSouth.

Q. DOES BELLSOUTH PROVIDE ALECS WITH ACCESS TO BELLSOUTH'S

SUBSCRIBER LISTING INFORMATION FOR ALECS TO ESTABLISH THEIR OWN DIRECTORY ASSISTANCE SERVICES?

A. BellSouth provides ALECs and other service providers with access to BellSouth's DADS, which allows ALECs to use BellSouth's subscriber listing information to set up their own directory assistance services. *See* ICG Agmnt., Att. 2 §8.4. BellSouth also provides ALECs and other service providers with DADAS, which gives ALECs direct access to BellSouth's DA database so that ALECs may provide directory assistance services. *See* Intermedia Agmnt., Att. 2, § 10.6. BellSouth currently provides both DADS and DADAS to ALECs themselves and to various third-party service providers which, in turn, furnish the service to ALECs. Database information is available to ALECs in magnetic tape format, cartridge tape format, and where the ALEC has electronic connectivity, in network data mover (NDM) format.

All information contained in BellSouth's listing database for its own end users, ALECs' end users, and independent LECs' end users is available to competitive carriers in the same manner as it is available to BellSouth itself. BellSouth is fully compliant with Section 51.217(c)(3)(i) of the Commission's rules.

Q. ARE ALECS ACCESSING BELLSOUTH'S DIRECTORY DATABASES?

A. Yes. As of March 31, 2001, eight (8) service providers were using BellSouth's Florida subscriber listings, via DADS, to provide DA service and third party listing data to end users. Nine (9) service providers were using DADS across BellSouth's nine-state region as of that same date. As of March 1, 2001, two (2) service providers in the region were

using DADAS to provide the service to ALECs.

Q. DESCRIBE BELLSOUTH'S INTERCEPT SERVICE OFFERING.

A. ALECs also have access to BellSouth's intercept service, which refers calls from a disconnected or non-working number to an appropriate announcement. Facilities-based ALECs obtain access to BellSouth's intercept service through a dedicated trunk facility. As of March 31, 2001, BellSouth had provided ALECs in Florida with 30 intercept trunks. In BellSouth's nine-state region, BellSouth had provided 172 intercept trunks to ALECs as of that same date. Because methods and procedures have long been in place to allow other carriers, such as independent LECs, access to BellSouth's intercept service, the necessary methods and procedures for obtaining such access by ALECs are business as usual for BellSouth.

Q. DESCRIBE BELLSOUTH'S OPERATOR CALL PROCESSING SERVICES OFFERING.

A. Operator call processing, which allows ALECs to obtain both live operator and mechanized functionality, is available from BellSouth. *See* Intermedia Agmnt., Att. 2, § 10.2; DSL.net Agmnt., Att. 2, §8.2. BellSouth call processing includes: Call Assistance and Call Completion services; Alternate Billing Services such as third number billing, calling card billing, and collect call handling; verification and interruption of a busy line; and operator transfer service. Facilities-based ALECs can obtain access to BellSouth's operator call processing by connecting their point of interface via a trunk group to BellSouth's operator services system.

Q. ARE ALECS ACCESSING BELLSOUTH'S OPERATOR SERVICES?

A. Yes. As of March 31, 2001, BellSouth had provided ALECs in Florida with 1,042 operator services trunks. Across its nine-state region, BellSouth had provided ALECs with 2,903 operator services trunks as of that same date. In Florida, BellSouth had provided ALECs with 155 verification trunks as of March 31, 2001. Across its nine-state region, BellSouth had provided ALECs with 503 verification trunks as of that same date. Because methods and procedures have long been in place to allow other carriers, such as independent LECs, access to BellSouth's operator call processing, such access by ALECs is considered business as usual for BellSouth.

Q. CAN INFORMATION CONCERNING ALECS' END USER CUSTOMERS BE ENTERED INTO OR CORRECTED IN BELLSOUTH'S DIRECTORY ASSISTANCE AND OPERATOR SERVICES DATABASES?

A. Yes. BellSouth will update ALEC end user listings equal to the service it provides to itself and its end users. *See* TriVergent Agmnt., Att. 2, § 11.3.2.2; DSL.net, Att.2 § 8.3.4. BellSouth's procedures for updating and maintaining the DA and OS databases for BellSouth's end user subscribers are described in the Affidavit of Doug Coutee, Attachment C. As described by Mr. Coutee, procedures for both ALEC subscribers and BellSouth subscribers are performed in a similar and nondiscriminatory manner.

DISAGGREGATION OF PERFORMANCE DATA FOR DIRECTORY ASSISTANCE/OPERATOR SERVICES

Q. DO BELLSOUTH'S PERFORMANCE MEASUREMENTS FOR DIRECTORY ASSISTANCE/OPERATOR SERVICES SUFFICIENTLY DEMONSTRATE NONDISCRIMINATION?

A. Yes. In the *Second Louisiana Order*, the FCC stated that in future applications, BellSouth needed either to disaggregate its performance data for directory assistance and operator services between wholesale and retail, or explain why such disaggregation is unnecessary to show nondiscrimination. *Second Louisiana Order*, ¶ 245. Because BellSouth's provision of directory assistance and operator services to ALECs is parity by design, disaggregation of performance measurements for these services is unnecessary.

To demonstrate this fact, I directed the preparation of exhibits that describe the routing and handling of operator services and directory assistance calls. Exhibit WKM-7 describes the processing of such calls by Traffic Operating Position System ("TOPS") and its associated Queuing Management System ("QMS"). This exhibit was prepared by BellSouth subject matter experts responsible for staff support for BellSouth departmental operations in these two areas. I also obtained an affidavit from one of BellSouth's major suppliers of hardware and associated software systems for these two areas, Nortel, Inc. This affidavit, which is attached to my testimony as Exhibit WKM-8 validates the accuracy of the exhibit as well as my overview of it contained herein.

Q. EXPLAIN WHY DISAGGREGATION OF PERFORMANCE DATA IS

UNNECESSARY.

A. Exhibit WKM-6 documents the flow of service orders from various sources (BellSouth Retail Units, ALEC resale, ALEC UNE, and ALEC UNE and resale with customized call routing). As this Exhibit demonstrates, the flow of the service order is precisely the same regardless of the source of the service order. Universal Service Order Codes ("USOCs") on the service orders are used to establish switch translations that provide dial tone and various service features listed on each service request. The exact same list of USOCs, with the exception of four unique provisioning USOCs used for UNEs, is used on both BellSouth and ALEC orders to describe various features and functions. If the service order being processed is for a ALEC, it contains a special four-digit Field Identifier Code ("FID") that ultimately identifies the ALEC to the billing system. However, the FID is not input to the switch. Thus, the switch is "blind" as to whether a given end user customer is BellSouth's customer or an ALEC's customer. The service orders enter a system called the Line Class Code Assignment Module ("LCCAM"). The LCCAM associates the USOCs assigned on service orders with an appropriate LCC that identifies the routing and screening characteristics of the line to the switch. Nothing in the LCC distinguishes a BellSouth customer from an ALEC customer. The LCC information flows into a computer system named MARCH. MARCH is a memory administration system that translates line-related service order data into switch provisioning messages and automatically transmits the messages to targeted stored program control switches. Routing, screening, and trunking of calls by the switch are identical for lines associated with identical LCCs. Therefore, it is not necessary to perform measurements beyond this point in the process to demonstrate parity in the handling of operator services and directory assistance calls. The diagrams attached to Exhibit WKM-6 clearly show that

the LCCAM to MARCH handoff merges traffic from all sources into a single flow determined solely by LCCs.

BRANDING

Q. WHAT BRANDING OPTIONS DOES BELLSOUTH PROVIDE TO ALECS?

A. BellSouth offers four service levels of branding to ALECs when ALECs order Directory Assistance and/or Operator Call Processing. The options are: BellSouth branding; unbranded; custom branding; and self-branding. Unbranded, custom branding and self-branding are all provided via customized routing. Unbranded and custom branding can also be provided via OLNS. BellSouth will complete its deployment of OLNS in Florida by June 11, 2001. *See* Intermedia Agmnt. Att. 2, § 10.4; Trivergent Agmnt., Att. 2, § 11.4.

Q. HOW DOES BELLSOUTH ROUTE OPERATOR SERVICES AND DIRECTORY ASSISTANCE TRAFFIC FOR ITS OWN END USER CUSTOMERS?

A. BellSouth routes its operator services or directory assistance traffic directly to a BellSouth TOPS platform rather than via a tandem switch. The operator services or directory assistance end office functions offered by BellSouth, as part of its retail services, require dedicated trunk groups from BellSouth end offices to the TOPS platform.

Q. PLEASE DESCRIBE THE OPERATION OF TOPS.

A. Exhibit WKM-7 provides a complete description of TOPS call flow via the QMS. Calls are initially queued based on call origination type. For example, a determination is made whether the call originated from a public telephone or arrived at TOPS via a directory assistance trunk group. Next, calls are ordered based on whether or not they have previously received some form of automated treatment or operator handling. Then the calls are processed through six refinement tables to enable them to be handled by operator groups best equipped to handle specific types of calls. For example, this process routes directory assistance calls to directory assistance equipped TOPS positions while calls requiring fluency in a particular language are routed to operators with skills in that language. Finally, the calls are routed to queues based on such factors as the age of the call, equipment availability, and force management considerations.

Q. HOW DOES TOPS TREAT CALLS FROM ALEC END USER CUSTOMERS?

A. ALECs' customers' calls to BellSouth's TOPS platform are handled in a nondiscriminatory manner at parity with the treatment of calls from BellSouth's retail customers. TOPS does not distinguish between calls made by BellSouth end users and calls made by ALEC end users. Thus, the system represents parity by design. Exhibit WKM-8 contains affidavits prepared by Mr. Robert Summers, Jr., Mr. William Greytock, and Mr. David C. Thompson, all of Nortel, pertaining to operation of the TOPS and QMS systems. Nortel is the supplier of BellSouth's TOPS platform. Their affidavits confirm that BellSouth's processes for the handling of calls to operator services are nondiscriminatory.

Q. DOES BELLSOUTH PERMIT AN ALEC TO ROUTE ITS OPERATOR SERVICES

OR DIRECTORY ASSISTANCE TRAFFIC TO ITS OWN OPERATOR SERVICES OR DIRECTORY ASSISTANCE PLATFORMS?

A. Yes. The ALEC may wish to route calls to its own operator or directory assistance platform for branding purposes. As discussed in Exhibit WKM-6, customized routing is ordered by use of a FID that is then converted by LCCAM, as discussed above, into an LCC for use by the switch. Once this conversion occurs, the switch's processor routes the call based on the assigned LCC rather than on the basis of whether the LCC is a "BellSouth LCC" or an "ALEC LCC". If the LCC denotes that the call is to be routed to an operator services platform other than BellSouth's operator services platform, then the provisioning of the trunk group to the ALEC's choice of operator services platform is the responsibility of the ALEC. Under this scenario, the ALEC will have the option of treating the calls in any fashion it wants because the calls will be directed to the ALEC's (or third party provider's) platform. The diagram for example 3 of the attachments to Exhibit WKM-6 depicts the call processing flow of calls using customized routing.

Q. DOES BELLSOUTH PROVIDE ALECS WITH THE ABILITY TO APPLY UNIQUE BRANDING IN COMPLIANCE WITH THE FCC'S REBRANDING REQUIREMENTS?

A. Yes. In the *Second Louisiana Order*, the FCC stated that BellSouth must demonstrate that its method of providing branding results in nondiscriminatory access. *Second Louisiana Order*, at ¶ 247. BellSouth provides ALECs the ability to apply unique branding via the customized routing methods discussed in my testimony under Checklist Item 6 and the OLNS method described below.

Under the LCC method of customized routing, calls are directed at the end office switch to the requested OS/DA platform over dedicated trunks. Dedicated trunks are required because of the technical limitations of the switches. To the extent that ALECs choose the same OS/DA platform and the same branding (or unbranding) of calls, ALECs may share transport between the end office switch and the platform. An ALEC's use of line class codes to reach an OS/DA platform is the same as BellSouth's use of line class codes to reach its TOPS platform, and thus BellSouth's provision of customized routing is nondiscriminatory.

Under the AIN method of customized routing, calls are sent to an AIN hub that performs the database query. AIN uses centralized databases to determine routing instructions rather than have the same determination made at the end office switch level. In this arrangement, ALECs may share transport between BellSouth's end office switch to the AIN hub. Moreover, ALECs who opt for the same branding (or unbranding) of their traffic and whose traffic is sent to the same OS/DA platform can likewise share trunk groups between the AIN hub and that OS/DA platform.

Q. DESCRIBE BELLSOUTH'S OFFERING OF ORIGINATING LINE NUMBER SCREENING (OLNS).

A. OLNS is method of providing customized branding in addition to the LCC and AIN methods described earlier in this testimony. OLNS provides a means of making information available to the OS/DA platform about the end user originating a telephone call. This information may be used to determine things such as an end user's local service provider and that local service provider's branding preferences. OLNS

functionality makes originating line information available to the OS/DA platform via centralized databases. In other words, OLNS allows end users' calls to proceed from the end office switches to BellSouth's OS/DA platform over common trunk groups (that is, a single trunk group between an end office switch and the OS/DA platform carrying multiple service providers' traffic including calls from BellSouth's retail customers). Once the call arrives at the OS/DA platform, OLNS is used to "look up" the telephone number of the calling party in its database to determine whether and how to brand a call from that particular end user.

BellSouth completed its deployment of OLNS in Georgia on December 31, 2000. BellSouth had earlier informed ALECs of this deployment in a carrier notification letter on BellSouth's interconnection website dated December 22, 2000. The current deployment schedule calls for OLNS availability to ALECs in Florida by June 11, 2001 and in the rest of BellSouth's region by July 13, 2001.

CHECKLIST ITEM 8: WHITE PAGES LISTINGS

The following issue was approved for consideration in this proceeding by the Florida Commission:

9. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(viii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide white pages directory listings for customers of other telecommunications carrier's telephone exchange service,

pursuant to Section 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 8.

A. Checklist Item 8 requires that BellSouth's interconnection offerings include directory listings in BellSouth's white pages directory for customers served by an ALEC. BellSouth has long made its white pages listing capabilities available to independent LECs and other service providers. Because methods and procedures have been in place to allow other carriers access to BellSouth's white pages listing capabilities for many years, the necessary methods and procedures pursuant to which ALECs may obtain such listings are business as usual for BellSouth. The white pages listings will include the subscriber's name, address and telephone number. Both the Florida Commission in the *1997 Order* and the FCC in the *Second Louisiana Order* found BellSouth in compliance with checklist item. Nothing has changed since those decisions were reached that impacts BellSouth's compliance with its obligations. Thus, the Commission should reaffirm that BellSouth is in compliance with Checklist item 8.

The Affidavit of Rook Barretto, attached hereto as Attachment D, describes the flow of orders received for the production of white pages directories and how this process is accomplished for both BellSouth's listings and ALECs' listings.

CHECKLIST ITEM 9: NUMBER ADMINISTRATION

The following issue was approved for consideration in this proceeding by the Florida

Commission:

10. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(ix) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to Section 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 9.

A. During February 1998, Lockheed-Martin assumed the NANPA functions previously provided by Bell Communications Research, Inc. (Bellcore), now Telcordia Technologies, Inc. This did not include the central office code assignment and NPA relief planning functions that continued to be performed by the dominant ILEC serving the particular geographic territory until a transition plan could be finalized to transfer these functions to Lockheed-Martin. The central office code assignment function was transferred to Lockheed-Martin region-by-region through an industry-accepted transition plan. In BellSouth's region, that transition began July 6, 1998, and concluded August 14, 1998. At this time, BellSouth no longer performs the central office code assignment function. NeuStar assumed all NANPA responsibilities on November 17, 1999 when the FCC approved the transfer of Lockheed-Martin's Communication Industry Service Division to NeuStar.

Q. DOES BELLSOUTH HAVE ANY RESPONSIBILITY FOR NPA RELIEF PLANNING NOW?

A. No. NeuStar also assumed responsibility for NPA relief planning. When BellSouth was responsible for NPA relief planning and as an NPA was found to be in jeopardy of exhausting before a NPA relief plan could be implemented, the BellSouth Central Office Code Administration Center implemented code conservation measures complying with consensus decisions of the local industry as reached in one or more Industry Jeopardy Meetings. NANPA now has the responsibility for jeopardy declaration in a NPA.

Q. PLEASE DESCRIBE BELLSOUTH'S ACTIONS PRIOR TO THE TIME NPA RELIEF PLANNING WAS TRANSFERRED TO NEUSTAR.

A. While serving as the Central Office Code Administrator for its territory, BellSouth maintained neutrality in performing the code administration functions and ensured that ALECs had nondiscriminatory access to telephone numbers for assignment to their customers. BellSouth adhered to the code administration guidelines published by the Industry Numbering Council ("INC"), a national industry body under the Carrier Liaison Committee ("CLC"), sanctioned by the Alliance for Telecommunications Industry Solutions ("ATIS"). INC documents, including final documents, completed guidelines, and issue resolutions in final closure, are readily accessible via the Internet, at ATIS's website (http://www.atis.org). These guidelines provide instructions to all service providers, including ALECs, on how to request and have NPA/NXX codes assigned. BellSouth established procedures to provide nondiscriminatory NXX code assignments to ALECs that conform to the INC standards. Pursuant to these procedures, as of August

19, 1998, BellSouth had assigned 2,141 NPA/NXX codes for ALECs in its nine-state region. Other than when faced with imminent NPA exhaustion, BellSouth did not refuse any ALEC requests for NPA/NXX code assignments, either in Florida or in BellSouth's nine-state region.

Q. DOES BELLSOUTH HAVE ANY RESPONSIBILITY FOR THE ASSIGNMENT OF NPA/NXX CODES NOW?

A. No. Since NeuStar assumed the Central Office Code Administration function, BellSouth no longer has any responsibility for the administration or assignment of NXXs to ALECs or any other telecommunications service provider. BellSouth follows the Central Office Code (NXX) Assignment Guidelines developed by the INC in submitting NXX code requests to NANPA, entering code information into the appropriate national databases, activating NXX codes assigned to any service provider in BellSouth's territory, making available BellSouth NXX codes that are no longer in use, and all other areas covered by these and other appropriate industry guidelines. It is now NANPA's responsibility to supply competitively neutral number administration services and to ensure that all service providers have equal and non-discriminatory access to telephone numbers.

Q. WHAT RESPONSIBILITIES DOES BELLSOUTH NOW HAVE WITH REGARD TO THE ACTIVATION OF NXX CODES WITHIN ITS NETWORK?

A. BellSouth responded to ALEC concerns about accurate and timely activation of NXX codes by establishing, effective May 15, 1998, its NXX activation Single Point of Contact ("SPOC") to provide assistance to ALECs and Independent LECs. The NXX

SPOC processes requests for NXX activity coordination, and provides information concerning BellSouth's architecture arrangements, assistance in trouble resolution for code activation, and assistance in preparing the Code Request. If an ALEC or independent LEC intends to interconnect directly with BellSouth, or if interconnection arrangements with BellSouth are already in place, the ALEC or independent LEC should send to BellSouth a courtesy copy of its Central Office Code Request in conjunction with the submission of its CO Code Request to the NANPA (NeuStar). If the ALEC gives BellSouth a copy of its Central Office Code Request, BellSouth is better able to activate the Central Office Code in BellSouth's network.

Among other functions, the NXX SPOC coordinates the activation of ALEC NXX codes and provides a trouble-reporting center for ALEC code activation. Since its establishment in mid-1998, the NXX SPOC has operated successfully in keeping NXX activation problems to a minimum. The NXX SPOC provides ALECs with a positive report on the activation of all of the ALECs' NXX codes that are activated in BellSouth's network. If requested by the ALEC, a written response is provided to the ALEC when BellSouth's Complex Translations Group has provisioned the NPA/NXX in the appropriate BellSouth switches and BellSouth has completed mechanized AMA testing and validation. Since it began operation, BellSouth's NXX SPOC has tracked the provisioning and testing of approximately 4,300 NXXs for facility-based ALECs and Independent Telephone Companies. BellSouth has never charged ALECs or LECs for NPA/NXX codes.

Q. WHAT INFORMATION DOES BELLSOUTH FURNISH TO NEUSTAR WITH RESPECT TO NUMBER RESOURCES?

A. BellSouth furnishes certain data to NeuStar with respect to number resources. For example, BellSouth provides the following: (1) Number Resource Utilization Forecast ("NRUF") Report – BellSouth prepares a NRUF Report and forwards it to NeuStar pursuant to FCC directives. NeuStar uses the NRUF Reports from all carriers to estimate when all NPAs will exhaust; (2) Part 1 CO Code Request Form and Months-To-Exhaust Worksheet – when BellSouth requests a new CO code assignment for growth from NeuStar CO Code Administration, BellSouth submits a Part 1 CO Code Request Form and Months-To-Exhaust Worksheet that shows when the existing supply of telephone numbers in the CO will exhaust; (3) Part 4 – New CO codes must be put to work within six months of being assigned or must be returned to NeuStar. BellSouth notifies NeuStar that an NXX code has been put to work by furnishing NeuStar with a Part 4.

CHECKLIST ITEM 10: ACCESS TO DATABASES AND ASSOCIATED SIGNALING

The following issue was approved for consideration in this proceeding by the Florida Commission:

11. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(x) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to Section 271(c)(2)(B)(x) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 10.

A. This checklist item obligates BellSouth to provide:

- Nondiscriminatory access to databases and associated signaling necessary for call routing and completion. 47 U.S.C. § 271(c)(2)(B)(x).
- Nondiscriminatory access to signaling networks and call-related databases. 47 C.F.R. § 51.319(e).

Both the Florida Commission in its *1997 Order*, and the FCC in its *Second Louisiana Order*, found that BellSouth was in compliance with this checklist item. BellSouth continues to provide ALECs with nondiscriminatory access to databases and associated signaling and thus the Commission should continue to find BellSouth in compliance with this checklist item.

Q. GENERALLY DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO ITS DATABASES AND SIGNALING NETWORKS.

A. BellSouth employs the same relevant systems, processes, and procedures in Florida as in Louisiana, which the FCC held were providing nondiscriminatory access to signaling and call-related databases. BellSouth provides nondiscriminatory access to its signaling networks, including Signal Transfer Points ("STPs"), Signaling Links, Service Control Points ("SCPs"), LIDB, Toll Free Number Database, AIN Toolkit, and the AIN method for Customized Routing. In addition, BellSouth also provides access to the LNP database and the CNAM database.

BellSouth provides nondiscriminatory access to its call-related databases and associated

signaling as evidenced by the millions of queries that BellSouth's call-related databases have successfully handled for ALECs, IXCs, and other ILECs. BellSouth provides ALECs access to BellSouth's signaling network either directly, or through third party service providers, whichever the ALEC elects. BellSouth's provision of the AIN method for customized routing is described earlier in my testimony.

SIGNALING NETWORKS

Q. DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO ITS SIGNALING LINKS AND SIGNAL TRANSFER POINTS.

A. BellSouth provides nondiscriminatory access to its signaling network, including Signaling Links and STPs on an unbundled basis. 47 C.F.R. § 51.319(e)(1)(i); *See* Intermedia Agmnt., Att. 2, § 11.0; 12.0; TriVergent Agmnt., Att. 2, §§ 12,13. Signaling networks enable ALECs to send signals between its switches (including unbundled switching elements), between its switches and BellSouth's switches, and between its switches and those third party networks with which BellSouth's signaling network is connected. BellSouth provides SS7 network service to ALECs for their use in furnishing SS7-based services to their own end users or to the end users of another ALEC that has subtended its STP to the signaling network of the interconnecting ALEC. *See* SGAT, § X. This arrangement permits ALECs to use BellSouth's SS7 signaling network for signaling between the ALECs' switches, between the ALECs' switches and BellSouth's switches, and between the ALECs' switches and the networks of other parties connected to BellSouth's SS7 network. Because all unbundled switching elements are provided on switches that BellSouth uses to provide service to its own customers, all signaling

functions are identical. 47 C.F.R. § 51.319(e)(l)(iii); *see* Intermedia Agmnt., Att. 2, § 11.1.

The Signaling Link between the ALEC's switch and BellSouth's STP is an unbundled network element that ALECs can order by contacting their assigned account team representative at BellSouth. The representative then arranges the set-up for the ALEC. When an ALEC purchases unbundled switching from BellSouth, BellSouth will provide access to its signaling network in the same manner as it provides such access for itself.

BellSouth's SS7 network provides dedicated two-way signaling links that interconnect BellSouth's STP locations and ALEC's Signaling Points at Signaling-Point-of-Interface (SPOI) locations. SGAT, § X.A. The SS7 network consists of STP Port Termination(s) for ALEC signaling and STP Interconnection Facilities (also called Signaling Links). The port terminations consist of port connections operating at 56 Kilobits per second (56 Kbps) transmission facilities on BellSouth's STP. The STP Interconnection Facility is the transmission facility that lies between the multiplexing hub, which demultiplexes the ALEC's 56 Kbps transmission from DS1 transmission facilities, and the STP port. 47 C.F.R. § 51.319(e)(1)(ii); Intermedia Agmnt., Att. 2, § 11.0.

STPs are signaling message switches that interconnect Signaling Links to route signaling messages between switches and databases. ALECs may use BellSouth's SS7 signaling network for signaling between their switches, between their switches and BellSouth's switches, and between their switches and the networks of other parties connected to the BellSouth SS7 network. STPs also provide access to other network elements connected to the BellSouth SS7 network including: 1) BellSouth-provided local end office

switching or tandem switching; 2) BellSouth-provided SCPs or databases; 3) third-party provided local end office switching or tandem switching; and 4) third-party provided SCPs or databases. *See* TriVergent Agmnt., Att.a 2, § 13.0.

Q. DOES BELLSOUTH PROVIDE SS7 NETWORK INTERCONNECTION?

A. Yes. SS7 Network Interconnection is the interconnection of the ALEC's local STPs and ALEC's local end office or tandem switching systems with BellSouth's STPs. This interconnection provides connectivity that enables the exchange of SS7 messages among BellSouth's switching systems and databases, ALEC's local or tandem switching systems, and other third-party switching systems directly connected to the BellSouth SS7 network. SS7 network interconnection provides ALECs with connectivity to all components of the BellSouth SS7 network. *See* Intermedia Agmnt., Att. 3, § 15.0.

Q. IS ACCESS TO BELLSOUTH'S SIGNALING NETWORK AVAILABLE?

A. Yes. BellSouth's signaling service is available as evidenced by the fact that, as of May 17, 2001, there were 16 ALECs that had directly connected to BellSouth's signaling network in Florida. Additional facilities-based ALECs may obtain access to BellSouth's signaling network as described above and in BellSouth's tariff (FCC No. 1). Because neither BellSouth's switch nor STP distinguish between BellSouth's end users and the end users of resellers, BellSouth does not know how many queries have been made to BellSouth's databases from the end users of resellers.

CALL-RELATED DATABASES

Q. DESCRIBE THE CALL-RELATED DATABASES BELLSOUTH OFFERS ON AN UNBUNDLED BASIS.

A. Section 51.319(e)(2)(ii) of the FCC Rules set forth certain call-related databases to which BellSouth must offer access on an unbundled basis. Consistent with that rule, BellSouth provides access to its LIDB, Toll Free Number database, LNP database, CNAM database, AIN Services Feature database, as well as the 911 and E911 databases. *See* SGAT § X.A.3.d.

Q. DOES BELLSOUTH PROVIDE ACCESS TO ITS SERVICE CONTROL POINTS?

A. Yes. A SCP is a specific type of network element where call related databases can reside. SCPs deployed in a SS7 network execute service application logic in response to SS7 queries sent to them by a switching system also connected to the SS7 network. SCPs also provide operational interfaces to allow for provisioning, administration and maintenance of subscriber data and service application data. ALECs may use either Feature Group D or SS7 signaling for interconnecting with BellSouth's network. *See* Intermedia Agmnt., Att. 2, § 13; DSL.net Agmnt., Att.2, §7.3.2.

Q. DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO ITS LIDB DATABASE.

A. The LIDB is a transaction-oriented database accessible through Common Channel Signaling ("CCS") networks such as BellSouth's SS7 network. It contains records

associated with end user line numbers and Special Billing Numbers. BellSouth's region-wide LIDB processed more than 1.5 billion queries from ALECs and others during the period from January 1997 through February 2001. Access to the LIDB is at present through a third party "signaling hub" provider or IXC directly connected to BellSouth's signaling network. LIDB queries are billed to the third party "signaling hub" provider or IXC, not the ALEC. ALECs can access the LIDB database once the ALEC puts required signaling links in place. *See* Intermedia Agmnt. Att. 2, § 13.4; TriVergent Agmnt., Att. 2 § 14.4. Carriers may update customer information contained in BellSouth's LIDB in substantially the same time and manner as BellSouth's retail operations.

Q. DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO ITS CNAM SERVICE.

A. CNAM service enables the called end user to identify the calling party by a displayed name before the call is answered (often referred to as a "caller ID" service). BellSouth will provide all requesting ALECs nondiscriminatory access to its CNAM Service database. *See* Intermedia Agmnt. Att. 2, § 13.8; ICG Agmnt., Att. 2, § 9.0. When an ALEC purchases unbundled local switching from BellSouth, access to the CNAM database will be identical to that used by BellSouth in the same switch. 47 C.F.R. § 51.319(e)(2)(iii).

The calling party's name, date, and time of the call are retrieved from the SCP database and delivered to the end user's premises between the first and second ring for display on compatible customer premise equipment. CNAM Service Query is BellSouth's service that allows an ALEC to query BellSouth's Calling Name database.

When an ALEC operates its own switching center, access to the CNAM database is obtained through the SS7 network. The ALEC accesses the SCP through the BellSouth STP or by connecting the ALEC's STP to the BellSouth STP and then to the BellSouth SCP. ALECs that deploy their own switching facilities are able to access BellSouth's SS7 network for each of their switches through a signaling link between their switches and BellSouth's STP in the same manner as BellSouth connects its own switches to the STP. The same features, functions, and capabilities are available to the ALEC as are available to BellSouth. 47 C.F.R. §51.319(e)(2)(iv).

Q. IS CNAM AVAILABLE TO ALECS?

A. Yes. As of April 1, 2001, BellSouth has over 70 CNAM database customers, consisting of both ALECs and independent LECs, across BellSouth's nine-state region.

Q. DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO ITS TOLL FREE NUMBER AND NUMBER PORTABILITY DATABASE.

A. The SGAT and BellSouth's Florida PSC-approved agreements provide the terms and conditions for nondiscriminatory access to BellSouth's Toll Free Number and Number Portability Database. *See* DSL.net Agmnt., Att. 2, §§ 7.4; TriVergent Agmnt., Att. 2, §14.5. Access to the Toll Free Number and Number Portability Databases allows an ALEC to access BellSouth's Toll Free Number and Number Portability databases for the purpose of switch query and database response. The Toll Free Number Database provides the ALEC information required to determine the appropriate routing of an 800 or 888 number.

The Number Portability database comes in two forms. The Routing service, which is a default porting service (if a company does not sign up for a query service, it will automatically use the Routing service to port calls) is available to any company and no registration is necessary. The Query service is available to any company as well, but a three-page form must be completed and returned to BellSouth. The differences between the two services is that the query service is about one-fourth of the cost of the routing service. No contracts are necessary for either service. Additional information on both LNP database services is available at: http://www.interconnection.bellsouth.com/products/vertical/LNP_Query.html; and http://www.interconnection.bellsouth.com/products/vertical/LNP_Call_Routing.html.

When an ALEC purchases unbundled local switching from BellSouth, it has exactly the same access as BellSouth to BellSouth's Toll Free Number and Number Portability database. *See* Intermedia Agmnt., Att. 2, § 13.5.

BellSouth offers three different types of access to the BellSouth call related databases. The first type of access allows an ALEC whose switches are SS7 capable to attach those switches to BellSouth's STPs and then to the BellSouth call related databases. See SGAT, § X.A.

The second option is for an ALEC whose switches are SS7 capable to attach those switches to a third party's STPs. These STPs would be attached to BellSouth's STPs and then to BellSouth's call related databases. See SGAT, § X.A. An ALEC can use Feature Group D for calls using information retrieved from BellSouth's databases.

The third option allows access by an ALEC whose switches are not capable of supporting SS7 protocols. I am not aware of any requests from ALECs for such access, no doubt because the SS7 protocol has been used so extensively for many years that most, if not all, modern switching systems are SS7-capable. However, should an ALEC make such a request, BellSouth would respond using the BFR process.

All of the above features are available to an ALEC and its customers in the same manner as provided by BellSouth to its own customers. When an ALEC operates its own switching system, access to the databases will be obtained by using the SS7 network. 47 C.F.R. § 51.319(e)(2)(iv).

When an ALEC purchases unbundled local switching from BellSouth, the access to the call related databases will be identical to that used by BellSouth in the same switch. 47 C.F.R. § 51.319(e)(2)(iii).

Q. IS BELLSOUTH SUCCESSFULLY PROVIDING ACCESS TO ITS TOLL FREE NUMBER DATABASE?

A. Yes. BellSouth has offered independent LECs and other service providers access to its Toll Free Number database for years. The necessary methods and procedures for obtaining such access by ALECs are business as usual for BellSouth. Moreover, the availability of these services is evidenced by the fact that, from January 1997 through March 31, 2001, ALECs and other service providers across BellSouth's nine-state region completed approximately 8.2 billion queries to BellSouth's Toll Free Number database. Additional facilities-based ALECs may obtain access to the database as described in

BellSouth's tariff (FCC No. 1). Assuming the appropriate signaling links are in place, direct access to the database can be provided as determined through negotiations.

Q. DESCRIBE THE ACCESS BELLSOUTH PROVIDES TO THE AUTOMATIC LOCATION IDENTIFICATION/DATA MANAGEMENT SYSTEM ("ALI/DMS").

A. The ALI/DMS database contains end user information (including name, address, telephone information, and sometimes special information from the local service provider or end user) used to determine to which Public Safety Answering Point the call should be sent. BellSouth offers ALECs a data link to the ALI/DMS database or permits ALECs to provide their own datalinks to the database. *See* Intermedia Agmnt., Att. 2, § 13.6; TriVergent Agmnt., Att. 2, §.14.6.

Q. DESCRIBE BELLSOUTH'S AIN NETWORK ARCHITECTURE.

A. AIN is a vendor-independent network architecture deployed by BellSouth that provides capabilities for creation of custom telecommunications services that are invoked by SS7 messages (called "triggers") from a switch through the STP to a SCP database. AIN uses distributed intelligence in databases to control call processing and manage network information, rather than performing those functions at every switch. When an ALEC purchases unbundled local switching from BellSouth, it has exactly the same access as BellSouth to BellSouth's AIN.

AIN access provides ALECs the ability to create service applications utilizing BellSouth's AIN and deploy those applications via the BellSouth Service Management

System ("SMS") in conjunction with BellSouth's SCPs. BellSouth provides access to its AIN SCP, or databases, through its AIN Toolkit and AIN SMS Access services. These services permit the ALEC to create and deploy AIN services on a BellSouth SCP using a set of service creation tools provided by BellSouth. BellSouth uses these same tools to create and deploy AIN services in exactly the same manner as is available to ALECs. As set forth in BellSouth's SGAT, SMS access allows ALECs to provide AIN services from either BellSouth switches or the ALEC's own switch. It also allows ALECs to create service applications using BellSouth's AIN service creation tools and to deploy those services using BellSouth's service management tools. ALECs will have the same access to SMS as does BellSouth. *See* SGAT, § X.3.d.

Using BellSouth's AIN Toolkit, end user customers of the ALEC may also access BellSouth-created AIN applications and/or ALEC-created AIN applications residing in BellSouth's SCP via 1) unbundled local switching purchased from BellSouth, or 2) a ALEC's own switch that is connected to BellSouth's SS7 network via the SS7 network element. 47 C.F.R. § 51.319(e)(2)(iii), (iv) and § 51.319(e)(3)(C).

BellSouth has tested its AIN Toolkit, which provides an ALEC with the ability to create and offer AIN-service applications to the ALEC's end users, as well as its AIN SMS access, which provides an ALEC with access to the BellSouth-provided service creation environment. The completion of test calls and the generation of billing records were part of the testing process that completed March 31,1997. The testing confirmed that service orders flowed through BellSouth's systems properly and that accurate bills were rendered.

BellSouth has made presentations to several ALECs interested in using AIN Toolkit to develop AIN applications that would run via BellSouth's AIN, and thus on BellSouth's switches. An ALEC that wishes to access BellSouth's AIN service creation tools (that is, AIN Toolkit) for the first time could, however, do so in a matter of seven days provided that the ALEC has an ISDN line and a personal computer.

BellSouth provides access to the SMS associated with each of the databases described above in accordance with 47 C.F.R. §51.319(e)(3). This gives ALECs the same access as BellSouth to develop and deploy AIN services using BellSouth's SMS. Requesting ALECs receive the information necessary to format data and enter the data correctly into the various databases using the associated SMS.

Q. DOES BELLSOUTH MAINTAIN ITS DATABASES IN ACCORDANCE WITH SECTION 222 OBLIGATIONS?

A. Yes. All data in the above databases are maintained in accordance with §222 of the Act. 47 C.F.R. § 51.319(e)(2)(vi).

Q. WILL BELLSOUTH CONSIDER OTHER MEANS OF ACCESS TO ITS CALL-RELATED DATABASES?

A. BellSouth will respond to requests for additional arrangements for access to call-related databases and associated signaling facilities through the BFR process.

Q. PLEASE SUMMARIZE YOUR TESTIMONY ON CALL-RELATED DATABASES.

A. In summary, as required by 47 C.F.R. § 51.319(e), BellSouth provides unbundled, nondiscriminatory access to its signaling networks, to its call-related databases used in signaling networks for billing and collection or the transmission, routing or other provision of telecommunications services, and to the associated SMS for each database. Each database is accessed through BellSouth's STPs by a requesting ALEC in the same manner and via the same signaling links to the database that are used by BellSouth itself.

Q. DESCRIBE BELLSOUTH'S PROVISION OF NONDISCRIMINATORY ACCESS TO SERVICE MANAGEMENT SYSTEMS.

A. SMS is defined as a computer database or system not part of the public switched network that, among other things: (1) interconnects to the SCP and sends to that SCP the information and call processing instructions needed for a network switch to process and complete a telephone call; (2) provides telecommunications carriers with the capability of entering and storing data regarding the processing and completing of a telephone call. BellSouth provides access to the SMS associated with each of the databases described above in accordance with 47 C.F.R. § 51.319(e)(3). Requesting carriers are provided with the information necessary to format data and enter it into the various databases using the associated SMS. Carriers have the same access as BellSouth to develop AIN services using SMS. All data in the databases described above is maintained in accordance with § 222 of the Act.

CHECKLIST ITEM 11: SERVICE PROVIDER NUMBER PORTABILITY

The following issue was approved for consideration in this proceeding by the Florida

Commission:

11. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(xi) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide number portability, pursuant to Section 271(c)(2)(B)(xi) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 11.

A. Section 271(2)(B)(xi) requires that BellSouth generally offer "until the date by which the Commission issues regulations pursuant to section 251 to require number portability, interim telecommunications number portability through remote call forwarding, direct inward dialing trunks, or other comparable arrangements, with as little impairment of functioning, quality, reliability, and convenience as possible. After that date, full compliance with such regulations." BellSouth provides interim number portability in accordance with these requirements. *See* Intermedia Agmnt., Att. 5, § 3.0. In the *1997 Order*, the Commission found that BellSouth provided interim number portability in accordance with these requirements. BellSouth continued to offer interim number portability until March 31, 2000, when BellSouth began offering ALECs Long Term Number Portability (LNP) on 100% of BellSouth's access lines in Florida. However, BellSouth continues to provide interim number portability on a limited number of existing lines. Therefore, BellSouth continues to be in compliance with this checklist item.

Q. DESCRIBE BELLSOUTH'S INTERIM NUMBER PORTABILITY OFFER.

A. BellSouth offered interim number portability under the four methods which the FCC had found to be technically feasible: (1) Remote Call Forwarding (RCF) and Direct Inward Dialing (DID); (2) Route Index-Portability Hub (RI-PH); (3) Directory Number-Route Index (DN-RI); and (4) Local Exchange Routing Guide (LERG) Reassignment. BellSouth provides Route Index-Portability Hub (RI-PH) as a comparable arrangement in provisioning interim number portability.

BellSouth ported 19,971 lines in Florida using INP. However, as of May 22, 2001, BellSouth had converted 19,283 (97%) of those lines to LNP. In its region, BellSouth ported 117,010 numbers, of which 108,934 (93%) have been converted to LNP as of that same date.

Q. DESCRIBE BELLSOUTH'S PERMANENT NUMBER PORTABILITY OFFER.

A. BellSouth has implemented permanent number portability in Florida in accordance with FCC rules and as discussed further in the Affidavit of Dennis Davis, Attachment E. As of March 31, 2000, BellSouth had equipped all its switches in Florida accounting for 100% of its lines with LNP capability. As of March 31, 2001, BellSouth has equipped in its nine-state region switches accounting for over 97% of its access lines with LNP capability. This total includes all major marketing areas. The remaining approximately less than 3% of network access lines in BellSouth's nine-state region generally are located in rural areas not yet subject to competition. These access lines will be equipped for LNP if requested by an ALEC via the BFR process. For the less than 3% of access lines for which LNP is not available, INP will remain available.

Once long term number portability is implemented in a particular end office, BellSouth and ALECs will withdraw interim number portability offers. The transition from interim arrangements to permanent arrangements should be accomplished within 120 days. BellSouth will not charge the ALEC for the conversion from interim to permanent number portability.

As of March 31, 2001, BellSouth had ported 258,227 business directory numbers and 49,523 residence directory numbers in Florida using LNP. In its nine-state region, BellSouth has ported 1,113,649 business and 133,703 residence directory numbers as of March 31, 2001, which confirms the availability of LNP.

Q. DESCRIBE THE MEANS BY WHICH ALECS' END USER CUSTOMERS MAY OBTAIN VERIFICATION OR INTERRUPTION OF A TELEPHONE NUMBER THAT HAS BEEN PORTED TO AN ALEC SWITCH.

A. BellSouth has developed methods and procedures to be followed when customers want verification or interruption of a conversation involving a telephone number that has been ported to an ALEC's switch. There are two arrangements that an ALEC may elect: 1) BellSouth provides operator call processing on behalf of the ALEC; and 2) the ALEC provides its own operator call processing. When BellSouth handles the ALEC's operator call processing, a verification trunk will be provisioned between the BellSouth operator services platform and the ALEC's network. This will allow BellSouth's operator to verify such a line in an ALEC switch at the request of either a BellSouth or ALEC end user. When the ALEC handles its own operator call processing, a two-way inward operator trunk (an operator to operator connection) will be jointly provisioned. This will

allow the BellSouth operator to contact the ALEC operator. The ALEC operator will verify and/or interrupt the line, and report the condition to the BellSouth operator who will, in turn, report the condition of the line to the end user. This arrangement will likewise allow the ALEC operator to contact the BellSouth operator. The BellSouth operator will verify and/or interrupt the line and report the condition to the ALEC operator who will report the condition of the line to the ALEC's end user.

CHECKLIST ITEM 12: LOCAL DIALING PARITY

The following issue was approved for consideration in this proceeding by the Florida Commission:

13. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(xii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of Section 271(c)(2)(B)(xii) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 12.

A. Checklist Item 12 obligates BellSouth to provide nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of Section 251(b)(3). Rule 51.207

states that a LEC shall permit telephone exchange service customers within a local calling area to dial the same number of digits to make a local call notwithstanding the identity of the customer's or the called party's telecommunications service provider. Both the Commission in the *1997 Order*, and the FCC, in the *Second Louisiana Order*, found BellSouth in compliance with this Checklist item. BellSouth continues to provide ALECs with dialing parity, and thus BellSouth remains in compliance with Checklist Item 12. The FCC's *Second Report and Order*, ¶ 71 stated that local dialing parity also is achieved through the implementation of the interconnection, number portability and nondiscriminatory access to telephone number requirements of Section 251 of the Act. As described earlier, BellSouth has implemented each of these items in accordance with the Act.

BellSouth's interconnection arrangements do not require any ALEC to use access codes or additional digits to complete local calls to BellSouth customers. Neither are BellSouth customers required to dial any access codes or additional digits to complete local calls to the customers of any ALEC. Further, end user customers of ALECs that have provisioned those customers utilizing the UNE Platform (UNE-P) will have available to them local dialing plans in the same manner as BellSouth's retail customers. In addition, BellSouth will not cause ALECs' local service customers to experience inferior quality regarding post-dial delay, call completion rate and transmission quality as compared to BellSouth's local service customers. *See* Intermedia Agmnt., Att. 3, § 5.0. The interconnection of the BellSouth network and the network of the ALEC will be seamless from a customer perspective, unless the ALEC chooses otherwise. While BellSouth is unable to determine the full extent of ALEC dialing policies, BellSouth is not aware of any complaints from ALEC customers that they are required to dial any access codes or

additional digits to complete local calls.

CHECKLIST ITEM 13: RECIPROCAL COMPENSATION

The following issue was approved for consideration in this proceeding by the Florida Commission:

14. In Order PSC-97-1459-FOF-TL, issued November 19, 1997, the Commission found that BellSouth met the requirements of Section 271(c)(2)(B)(xiii) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. Does BellSouth currently provide reciprocal compensation arrangements in accordance with the requirements of Section 252(d)(2) of the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(xiii) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 13.

A. Reciprocal compensation arrangements are provided for in BellSouth's interconnection agreements as well as through its SGAT. Reciprocal compensation is discussed further in the testimony of Cynthia Cox.

CHECKLIST ITEM 14: RESALE OF THE INCUMBENT LEC'S RETAIL TELECOMMUNICATIONS SERVICES AT A DISCOUNT

The following issue was approved for consideration in this proceeding by the Florida

Commission:

15. Does BellSouth currently provide telecommunications services available for resale in accordance with the requirements of Sections 251(c)(4) and 252(d)(3) of the Telecommunications Act of 1996, pursuant to Section 271(c)(2)(B)(xiv) and applicable rules promulgated by the FCC?

Q. DESCRIBE BELLSOUTH'S COMPLIANCE WITH CHECKLIST ITEM 14.

A. Checklist Item 14 obligates BellSouth to make telecommunications services available for resale in accordance with the requirements of sections 251(c)(4) and 252(d)(3). Specifically, BellSouth is required to offer for resale at wholesale rates without unreasonable or discriminatory conditions or limitations any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers. In the *Second Louisiana Order*, the FCC found that but for perceived deficiencies in BellSouth's OSS systems, BellSouth makes telecommunications services available for resale in accordance with sections 251(c)(4) and 252(d)(3). With respect to the offering of services for resale, BellSouth continues to meet the requirements of this Checklist Item.

Q. ARE ALECS PURCHASING RESOLD SERVICES?

A. Yes. As of March 31, 2001, there were 850,902 units being resold by ALECs in Florida while 3,002,701 were being resold throughout BellSouth's region. Of those units in service in Florida, there were 75,840 resold business lines and 100,799 resold residence

lines. The table shown in Exhibit WKM-9, which is attached to my testimony, identifies the service and the number of units being resold in Florida and across the BellSouth region.

Other retail telecommunications services are likewise available for resale. Further discussion of Checklist Item 14 is found in the testimony of Cynthia Cox. Ms. Cox also addresses pricing of resold services in Florida in her testimony.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

(Transcript continues in sequence in Volume 9.)

STATE OF FLORIDA)

: CERTIFICATE OF REPORTER

COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard 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 constitutes a true transcription of my notes of said proceedings.

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' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 22ND DAY OF OCTOBER, 2001.

JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
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Administrative Services
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