

Nancy B. White  
General Counsel-Florida

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5558

June 27, 2002

Mrs. Blanca S. Bayó  
Director, Division of the Commission Clerk  
And Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

020611-TP

**RE: Complaint of BellSouth Telecommunications, Inc.,  
regarding Supra Telecommunications and Information  
Systems, Inc.'s Inappropriate Use of Lens**

Dear Ms. Bayó:

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

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

*Nancy B. White*  
Nancy B. White (KA)

Enclosures

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey

CCA note: Exhibits B+C  
were removed prior to  
scanning due to receipt of  
BellSouth's NOI on  
confidentiality.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**  
**Complaint regarding Supra Telecommunications**  
**and Information Systems, Inc.'s Inappropriate Use of Lens**

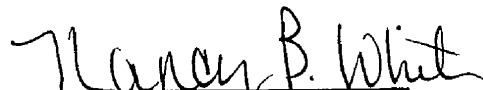
I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 27th day of June, 2002 to the following:

Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Ann Shelfer, Esq.  
Supra Telecommunications and  
Information Systems, Inc.  
1311 Executive Center Drive  
Koger Center - Ellis Building  
Suite 200  
Tallahassee, FL 32301-5027  
Tel. No. (850) 402-0510  
Fax. No. (850) 402-0522  
[ashelfer@stis.com](mailto:ashelfer@stis.com)

Brian Chaiken  
Supra Telecommunications and  
Information Systems, Inc.  
2620 S. W. 27<sup>th</sup> Avenue  
Miami, FL 33133  
Tel. No. (305) 476-4248  
Fax. No. (305) 443-1078  
[bchaiken@stis.com](mailto:bchaiken@stis.com)

  
Nancy B. White (KH)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaint of BellSouth )  
Telecommunications, Inc., regarding )  
Supra Telecommunications and )  
Information Systems, Inc.'s, )  
Inappropriate Use of Lens )  
\_\_\_\_\_ )

Docket No. 020611-TP

Filed: June 27, 2002

**COMPLAINT**

BELLSOUTH TELECOMMUNICATONS, INC. ("BellSouth"), through its undersigned counsel, hereby files this Complaint against Supra Telecommunications and Information Systems, Inc. ("Supra") pursuant to Rules 25-22.036(2), 25-22.036(3)(b), and 28-106.201 of the Florida Administrative Code and Florida Statutes Chapters 350 and 364.

In support of its Complaint, BellSouth avers the following:

**I.**

BellSouth is an incumbent local exchange company certified by the Florida Public Service Commission ("Commission") to provide local exchange telecommunications services in Florida. BellSouth's service of process address is

Nancy B. White  
c/o Nancy H. Sims  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301

II.

Supra is an Alternative Local Exchange Company ("ALEC") certified by the Commission to provide telecommunications services in Florida. Supra's business address, according to Commission records, is

Supra Telecommunications and  
Information Systems, Inc.  
2620 S. W. 27<sup>th</sup> Avenue  
Miami, Florida 33133-3005

III.

Pursuant to Section 364.01(4)(g), Florida Statutes, the Florida Public Service Commission ("Commission") is granted exclusive jurisdiction to ensure that all providers of telecommunications services are treated fairly, by preventing anticompetitive behavior. Pursuant to Section 364.337(5), Florida Statute, the Commission has continuing regulatory oversight over the provision of basic local service provided by an ALEC for purposes of ensuring the fair treatment of all telecommunications providers in the telecommunications marketplace.

IV.

Supra purchases services and elements from BellSouth in order to provide local exchange telecommunications services to its customers in Florida. In connection with placing its local service requests, Supra uses BellSouth's Local Exchange Navigation Service ("LENS"), an operational

support system provided by BellSouth to allow for ordering and preordering activity.

V.

To BellSouth's information or belief, Supra is using a mechanized login process to run LENS queries or view customer service records ("CSRs"). To BellSouth's information and belief, Supra, apparently without any intent to transact business, logs into LENS using a single user id every minute of every day, seven days per week. This mechanized activity is equivalent to over 1,400 logins per day. The typical ALEC logs in 20-60 times per day.

VI.

LENS has application servers that evenly distribute the logins and queries to LENS. Because of the abusive way Supra uses mechanized logins, there is an excessive load to the servers and memory problems occur. Supra's abusive use eventually can and has frozen the entire application causing a denial of service of LENS.

VII.

Supra's abusive activity only logs into and out of LENS. The activity accomplishes nothing except to occupy LENS for no legitimate business purpose. Supra is engaging in no ordering or preordering activity during the logins. LENS was not designed, nor developed, for such abusive activity.

VIII.

The result of Supra's abusive activity is to degrade reliability of LENS for all ALECs. Supra's activity causes LENS to slow for all ALECs, at times has left ALECs unable to login, has caused system lockups, and a loss of ALEC user session data.

IX.

Supra is causing BellSouth to expend unnecessary time and resources in attempting to minimize the effect of Supra's use on the system. BellSouth has been forced to write software tools to monitor programs that are affected by Supra's automated programs. In addition, BellSouth has been forced to perform manual restarts of programs.

X.

BellSouth has informed Supra on three different occasions of the impact Supra's activity has on LENS and has asked Supra to cease the mechanized login process, but Supra has not cooperated. See Exhibits, A, B, C, and D. BellSouth avers that Supra's actions are anti-competitive in that they harm BellSouth, as well as other ALECs.

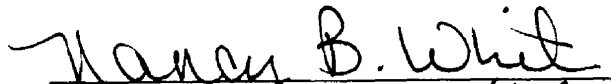
WHEREFORE, Complainant, BellSouth Telecommunications, Inc., prays that, after due proceedings, there be judgment herein against Supra as follows:

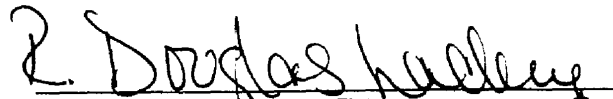
- (1) Ordering Supra to cease and desist using the mechanized login process described herein;

- (2) Ordering Supra to reimburse BellSouth for all costs incurred by BellSouth to mitigate the damage caused by Supra's activity;  
and
- (3) For all other relief deemed appropriate under the law.

Respectfully submitted this 27th day of June, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
NANCY B. WHITE (LA)  
JAMES MEZA III  
150 South Monroe Street, Suite 400  
Tallahassee, FL 32301  
(305) 347-5558

  
\_\_\_\_\_  
R. DOUGLAS LACKEY (LA)  
T. MICHAEL TWOMEY  
Suite 4300  
675 W. Peachtree St., NE  
Atlanta, GA 30375  
(404) 335-0750

December 11, 2001

**VIA FEDERAL EXPRESS**

Brian Chaiken, Esq.  
Supra Telecommunications & Information  
Systems, Inc.  
2620 Southwest 27<sup>th</sup> Avenue  
Miami, FL 33133-3001

Dear Brian:

As part of the ongoing maintenance of its Operations Support Systems (OSS), BellSouth engages in random monitoring of systems usage. BellSouth has discovered that Supra is utilizing a mechanized log in process to run LENS queries or view customer service records (CSRs). This log in activity is occurring approximately once each minute of every day and is continuing throughout the entire night. There is no corresponding log out, nor is there any occurrence of other LENS activity, such as placing orders. Each log in is placed using Supra identification number SUP0039.

This activity is problematic for several reasons. First, the log in screen for LENS states, "RESTRICTED: FOR USE ONLY BY AUTHORIZED INDIVIDUALS." Clearly, an individual cannot possibly log in to the LENS system with such frequency. Thus, the system is being accessed not by individuals, but through a mechanized process. Second, ALECs such as Supra are not entitled to view any CSR unless the end user has provided authorization to do so. Supra's mechanized viewing of multiple CSRs without express end user authorization, whether to search for profiles or otherwise, is a violation of the interconnection agreement and Section 222 of the Act. Finally, BellSouth's OSS were not developed for purposes of perusal by any ALEC. Supra's mechanized process is placing over 1400 log ins each day with no corresponding log out. This creates an unnecessary drain on the memory of LENS and creates "hung" sessions and delays for all LENS users, including Supra, when trying to utilize LENS in a proper fashion.

Exhibit A



Brian Chaiken, Esq.  
December 11, 2001  
Page - 2 -

We must insist that Supra refrain from using LENS in the manner described herein. Please confirm your receipt of this letter and your willingness to utilize LENS only in the prescribed manner.

Sincerely,

Parkey D. Jordan

PDJ:bbk

cc: Mr. Kay Ramos

424321v1

Parkey D. Jordan  
General Attorney

BellSouth Telecommunications, Inc.  
Legal Department - Suite 4300  
675 West Peachtree Street  
Atlanta, Georgia 30375-0001  
Telephone: 404-335-0794  
Facsimile: 404-658-9022

May 24, 2002

**VIA FACSIMILE AND U.S. MAIL**

Brian Chaiken, Esq.  
Supra Telecommunications & Information  
Systems, Inc.  
2620 Southwest 27<sup>th</sup> Avenue  
Miami, FL 33133-3001

Re: Unauthorized Use of LENS

Dear Brian:

On December 11, 2001, I sent you a letter regarding Supra's access to LENS via mechanized log in activity. Mr. Medacier responded to me on your behalf in a letter dated December 21, 2001, stating that you would not discontinue your activity, but that you would implement a log out process. Finally, on January 29, 2002, I again notified you that despite any process changes Supra may have implemented, Supra's mechanized access to LENS was unauthorized and inappropriate, and that the constant log in activity was interfering with the operation of the LENS interface. To date I have received no response to my January 29 letter.

Once again, I must inform you that Supra's activities are creating an intolerable strain on the operability of LENS. A mechanized log in occurs every minute of every day. Our records show that no ordering or preordering activity is taking place. In fact, your letter of December 21, 2001, clearly stated that the mechanized log in activity is the result of a program developed by Supra to track LENS downtime. However, as previously stated, Supra has no right under its interconnection agreement or otherwise to utilize LENS for the purpose of tracking downtime, especially when such utilization is jeopardizing the reliability of the system for Supra and other ALECs.

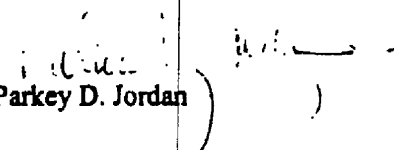
BellSouth is expending unnecessary time and resources in attempting to minimize the effect that Supra's unauthorized use of LENS has on the system. Further, Supra's activity is creating an excessive load on the primary LENS server, resulting in memory problems. Such excessive use can also cause the application to "freeze," resulting in a denial of service for all LENS users.

Exhibit D

Brian Chaiken, Esq.  
May 24, 2002  
Page 2

In short, the LENS interface was not intended to be utilized in this manner, nor does your interconnection agreement permit it. This letter constitutes your third notice that Supra's mechanized log in activity is straining the system and may cause LENS downtime. If you do not cease and desist from the use of LENS in this manner, BellSouth will take appropriate action to protect LENS for all users, including but not limited to disabling Supra's access to LENS. Further, as Supra is now well aware of the affect of its unauthorized LENS activity, BellSouth can only assume that Supra is continuing the constant mechanized log ins in an intentional effort to interfere with the operability of LENS, and BellSouth will hold Supra responsible for costs it incurs as a result of Supra's intentional activity.

Sincerely,

  
Parkey D. Jordan

PDJ: cjj

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