

1 BELL SOUTH TELECOMMUNICATIONS, INC.  
2 DIRECT TESTIMONY OF W. KEITH MILNER  
3 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
4 DOCKET NO. 020507-TL  
5 NOVEMBER 26, 2002  
6

7 Q. PLEASE STATE YOUR NAME, YOUR BUSINESS ADDRESS, AND  
8 YOUR POSITION WITH BELL SOUTH TELECOMMUNICATIONS, INC.  
9 ("BELL SOUTH").  
10

11 A. My name is W. Keith Milner. My business address is 675 West Peachtree  
12 Street, Atlanta, Georgia 30375. I am Assistant Vice President -  
13 Interconnection Operations for BellSouth Telecommunications, Inc.  
14 ("BellSouth"). I have served in my current role since February 1996 and  
15 have been involved with the management of certain issues related to local  
16 interconnection and unbundling.  
17

18 Q. PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.  
19

20 A. My career in the telecommunications industry spans over 32 years and  
21 includes responsibilities in the areas of network planning, engineering,  
22 training, administration, and operations. I have held positions of  
23 responsibility with a local exchange telephone company, a long distance  
24 company, and a research and development company. I have extensive  
25 experience in all phases of telecommunications network planning,

1 deployment, and operations in both the domestic and international arenas.

2

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

7

8 Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE ANY STATE PUBLIC  
9 SERVICE COMMISSION, AND IF SO, BRIEFLY DESCRIBE THE  
10 SUBJECT OF YOUR TESTIMONY?

11

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

18

19 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?

20

21 A. My testimony will address portions of Issues 2 and Issue 4 of the  
22 complaint filed by Florida Competitive Carriers Association ("FCCA") with  
23 the Florida Public Service Commission on June 12, 2002. Specifically, I  
24 will discuss operational issues associated with providing BellSouth's  
25 FastAccess® Internet access service to customers who receive voice

1 service from an Alternative Local Exchange Carrier (“ALEC”).

2

3 **Issue 2): What are BellSouth’s practices regarding the provisioning of its**  
4 **FastAccess Internet service to:**

5 a) a FastAccess customer who migrates from BellSouth to a  
6 competitive voice provider; and

7 b) to all other ALEC customers.

8

9 **Issue 4): Should the Commission order that BellSouth may not disconnect**  
10 **the FastAccess Internet service of an end user who migrates his voice**  
11 **service to an alternative voice provider?**

12

13 Q. PLEASE DESCRIBE BELLSOUTH’S DIGITAL SUBSCRIBER LINE  
14 (“DSL”) OFFERINGS.

15

16 A. BellSouth has both a federally tariffed and regulated wholesale DSL  
17 transport service and a non-regulated retail DSL-based Internet access  
18 service, referred to as FastAccess®. BellSouth offers its federally tariffed  
19 wholesale DSL transport service through BellSouth’s Special Access FCC  
20 Tariff No. 1. BellSouth’s federally tariffed wholesale DSL service is a data  
21 transport service specifically designed to be a network component for  
22 Internet Service Providers (“ISPs”) and carriers to package as part of an  
23 enhanced service offering to the ISPs’ or carriers’ end-users. BellSouth’s  
24 tariffed wholesale DSL service is not available to end users as a stand-  
25 alone service. Instead, an ISP would purchase wholesale DSL service

1 from BellSouth as a component of the ISP's provision of Internet service to  
2 the end user. All wholesale DSL virtual circuits must terminate on an ISP,  
3 ALEC, interexchange carrier ("IXC") or network service provider ("NSP")  
4 customer designated Asynchronous Transfer Mode ("ATM") circuit within  
5 the Local Transport Access Area ("LATA"). (ISPs, ALECs, IXCs, and  
6 NSPs will hereinafter be collectively referred to as "wholesale DSL  
7 customers"). In addition to the terminating ATM circuit, the wholesale DSL  
8 customer must provide its own help desk, installation services, access to  
9 the Internet, and all necessary customer premises equipment for its end-  
10 users. As do other ISPs, BellSouth uses the tariffed wholesale service as  
11 a component of BellSouth's retail FastAccess<sup>®</sup> Internet access service.

12  
13 Requiring BellSouth to provide its FastAccess<sup>®</sup> service in the context of  
14 either a stand-alone unbundled loop or as part of the UNE-P would require  
15 that BellSouth (rather than the ALEC) provide the terminating ATM circuit  
16 as well as the help desk, installation services, access to the Internet, and  
17 all necessary customer premises equipment for the ALECs' end-user  
18 customers. For example, because BellSouth would no longer have a  
19 direct relationship with the end user for that end user's voice services,  
20 BellSouth would have to develop an alternate method of billing the end  
21 user, such as credit card billing, to which some end users would doubtless  
22 object.

23  
24 Q. WOULD PROBLEMS ARISE IF BELL SOUTH PROCESSED  
25 FASTACCESS<sup>®</sup> ORDERS BY A FACILITIES-BASED ALEC?

1 A. Yes. Processing FastAccess<sup>®</sup> orders from an end user who is provided  
2 voice services by a facilities-based ALEC would be inefficient and,  
3 therefore, costly. Assume, for example, that an end user who is served by  
4 an ALEC over an unbundled loop orders BellSouth's FastAccess<sup>®</sup> service.  
5 The ALEC serving that customer has purchased a UNE loop from  
6 BellSouth, and BellSouth cannot use the high frequency spectrum of that  
7 loop to provide the DSL component of FastAccess<sup>®</sup> to the end user  
8 without the ALEC's permission. If this situation were adopted, BellSouth  
9 would have to ask the end user to identify the ALEC that is providing the  
10 end user's voice service, contact that ALEC, and determine whether that  
11 ALEC will allow BellSouth to provide its FastAccess<sup>®</sup> service over the  
12 UNE loop the ALEC has purchased from BellSouth and, if so, on what  
13 terms and conditions. All of this would have to take place before  
14 BellSouth even began provisioning the order. This would be  
15 administratively and operationally burdensome.

16  
17 This problem is exacerbated if the end user orders DSL-based Internet  
18 access service from an ISP unaffiliated with BellSouth. In that case, the  
19 ISP would order wholesale DSL service from BellSouth to the end user's  
20 address. BellSouth would have to search its records, determine that the  
21 end user is not a BellSouth voice service customer, determine which  
22 ALEC serves the end user, contact that ALEC, and determine whether  
23 that ALEC will allow BellSouth to provide its wholesale DSL service over  
24 the unbundled loop (or the so-called Unbundled Network Element Platform  
25 or "UNE-P") the ALEC has purchased from BellSouth and, if so, on what

1 terms and conditions. Again, all of this would have to take place before  
2 BellSouth even began provisioning the order. This would be  
3 administratively and operationally burdensome.  
4

5 Q. WAS BELLSOUTH'S WHOLESALE DSL OFFERING DESIGNED TO BE  
6 PROVISIONED ALONG WITH BELLSOUTH'S VOICE SERVICES?  
7

8 A. Yes. BellSouth's tariffed wholesale DSL offering was designed and  
9 established, and rates were set, based on the assumption that it would be  
10 provisioned in conjunction with BellSouth's voice services. BellSouth has  
11 the right to use the High Frequency Portion of the Loop ("HFPL") when it  
12 provides such voice service. ALECs argue that they should not be denied  
13 the data capability of a loop when the ALEC provides local service using  
14 either a stand-alone unbundled loop or UNE-P. Whether the ALEC  
15 purchases a stand-alone unbundled loop or UNE-P, the ALEC has access  
16 to the entire loop, including the HFPL, and the ALEC may provide data  
17 services to its customer using that part of the spectrum. BellSouth does  
18 not have authority to use the HFPL of loops acquired by an ALEC,  
19 whether the ALEC acquired such as a stand-alone unbundled loop or as  
20 part of the UNE-P.  
21

22 Q. IN PROVISIONING BELLSOUTH'S FASTACCESS® SERVICE, WHAT  
23 PROBLEMS ARISE WHEN THE VOICE SERVICE IS NOT PROVIDED  
24 BY BELLSOUTH?  
25

1 A. When BellSouth does not provide the voice service (that is, when the end  
2 user is served via a stand-alone unbundled loop or via UNE-P), BellSouth  
3 has no right to access the HFPL or to allow anyone other than the owner  
4 of the loop such access. Currently BellSouth does not have any means to  
5 determine if any one of the hundreds of ALECs in the BellSouth region  
6 has granted authorization for BellSouth, or another ALEC, to access the  
7 HFPL for any given loop. Given the extremely large quantity of potentially  
8 affected loops, it would be a massive undertaking (in time, money, and  
9 resources) for BellSouth to develop such a system. This would be  
10 administratively and operationally burdensome. Additionally, BellSouth  
11 would be forced to negotiate prices with these ALECs for access to the  
12 HFPL to provide a service that BellSouth does not wish to provide, absent  
13 some provision requiring all ALECs to provide BellSouth with access to  
14 the affected spectrum without cost.

15  
16 BellSouth's wholesale DSL service was developed solely for use with  
17 BellSouth voice customers. When the provisioning flows, methods, and  
18 procedures were developed, the assumption was made that since all  
19 customers of BellSouth's wholesale DSL service or its FastAccess<sup>®</sup>  
20 service would be BellSouth voice customers, it would be most efficient to  
21 use the "telephone number" as the driver for provisioning, maintenance,  
22 billing and record-keeping purposes. Accordingly, all of BellSouth's  
23 systems (and the hundreds of supporting sub-systems) were developed  
24 using the telephone number as the identifier. When an ALEC acquires a  
25 stand-alone unbundled loop or the UNE-P, the ALEC now becomes the

1 voice provider, and accordingly there no longer is a working BellSouth  
2 telephone number in some of BellSouth's systems. For example, if the  
3 ALEC acquires a stand-alone unbundled loop and attaches such loop to  
4 the ALEC's own switch, any assigned telephone number is in the ALEC's  
5 switch rather than in BellSouth's switch. If BellSouth were required to  
6 provide either its wholesale DSL service or its FastAccess<sup>®</sup> service to end-  
7 users without BellSouth telephone numbers, BellSouth's provisioning  
8 systems (and also the ordering, billing, repair, and maintenance systems)  
9 would have to be totally revamped. It would take a very large, complex,  
10 and detailed internal system change to convert BellSouth's wholesale DSL  
11 service or FastAccess<sup>®</sup> service into offerings available to ALECs. Such a  
12 system change would require a massive amount of expensive and time  
13 consuming "re-writes" to all of the systems and related sub-systems, and  
14 would require a very large amount of resources. This would be  
15 administratively and operationally burdensome.

16

17 Q. HOW DOES BELLSOUTH DETERMINE IF A LOOP CAN  
18 ACCOMMODATE DSL SERVICE?

19

20 A. First, let me point out that not every loop satisfies the technical  
21 requirements necessary to provide DSL service. Prior to provisioning  
22 either its wholesale DSL service or retail FastAccess<sup>®</sup> service over a given  
23 loop, BellSouth must determine whether that loop will accommodate the  
24 intended DSL service. In order to make this determination, BellSouth has  
25 developed a database that stores loop information for associated working



1 telephone numbers.

2

3 Q. DOES THIS DATABASE INCLUDE LOOP INFORMATION FOR  
4 FACILITIES-BASED ALECS' TELEPHONE NUMBERS?

5

6 A. No. When an ALEC provides dial tone from its own switch using a stand-  
7 alone unbundled loop, the ALEC (rather than the end user) is BellSouth's  
8 customer of record for that unbundled loop, and the ALEC (rather than  
9 BellSouth) assigns a telephone number to the end user. BellSouth's  
10 database, therefore, does not include loop information for facilities-based  
11 ALECs' telephone numbers, and BellSouth cannot use its database to  
12 readily determine whether a given loop is DSL compatible.

13

14 Furthermore, BellSouth cannot utilize mechanized maintenance and  
15 trouble isolation systems on such stand-alone unbundled loops purchased  
16 by ALECs. First, BellSouth's systems are based upon telephone  
17 numbers, and the telephone numbers of ALECs are not included in the  
18 relevant BellSouth databases. Second, the switch itself effectuates many  
19 of the mechanized systems, and if a BellSouth switch does not provide the  
20 dial tone, the mechanized maintenance and trouble isolation features are  
21 not available. These systems are critical in maintaining the quality of DSL  
22 services.

23

24 Q. IS BELL SOUTH'S PROVISIONING OF ITS WHOLESALE DSL SERVICE  
25 AND FASTACCESS® SERVICE CONSISTENT WITH FCC

1           REQUIREMENTS?

2

3    A.    Yes. BellSouth provides its wholesale DSL service and FastAccess<sup>®</sup>  
4           service to customers who elect to migrate their voice service to an ALEC if  
5           the ALEC resells BellSouth's voice service. Not providing wholesale DSL  
6           service or FastAccess<sup>®</sup> on an unbundled loop or on a UNE-P that an  
7           ALEC has purchased from BellSouth in order to provide voice service to  
8           the ALEC's end user customer is consistent with the FCC's requirements  
9           that when an ALEC purchases an unbundled loop or the UNE-P, the  
10          ALEC owns all the features, functions, and capabilities of that loop.  
11         Accordingly, BellSouth does not have access to HPFL on unbundled loops  
12         or on the UNE-P for purposes of continuing to provide wholesale DSL  
13         service or FastAccess<sup>®</sup> service. However, BellSouth does continue to  
14         have access to the HFPL on a resold line, the telephone number remains  
15         in BellSouth's systems, and therefore, the operational issues described  
16         herein do not come into play.

17

18    Q.    DOES THIS CONCLUDE YOUR TESTIMONY?

19

20    A.    Yes.

21