**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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| In re: Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers. | DOCKET NO. 030851-TP |

REBUTTAL TESTIMONY OF SHERRY LICHTENBERG

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.
AND

MCIMETRO ACCESS TRANSMISSION SERVICES LLC

January 7, 2004

**Q. PLEASE STATE YOUR NAME, EMPLOYER AND TITLE.**

A. My name is Sherry Lichtenberg. I am currently employed by MCI as Senior Manager, Operational Support Systems Interfaces and Facilities Development.

**Q. ARE YOU THE SAME SHERRY LICHTENBERG WHO PROVIDED DIRECT TESTIMONY IN THIS DOCKET?**

A. Yes.

**Q. WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY IN THIS PROCEEDING?**

A. The purpose of my rebuttal testimony is to rebut the Direct Testimony of BellSouth witnesses Kenneth L. Ainsworth, Ronald M. Pate, Alfred A. Heartley, and Alphonso J. Varner with respect to Issues 3(a), 5(c) and 6. I also briefly address Issue 4, explaining that MCI does not use its own switches to serve mass markets customers in Florida.

## Issue 5(c): Operational Impairment

### Scalability of BellSouth's Systems

**Q. WHY IS SCALABILITY AN ISSUE?**

A. BellSouth's testimony makes clear that its UNE-L provisioning processes are intensively manual. As explained below, moving from UNE-P to UNE-L would involve an exponential increase in UNE-L provisioning volumes. Manual processing of such volumes would give rise to concern even if they were to take place for a single project over a relatively short period, but in fact the manual

handling would have to take place day in and day out, month in and month out in every affected Florida wire center.

**Q. WHAT IS THE RISK OF REQUIRING CLECS TO USE A PROVISIONING PROCESS THAT MAY FAIL TO WORK PROPERLY AT HIGH VOLUMES?**

A. The immediate risk is there would be a large increase in human errors that would cause provisioning delays, customer outages and other service problems. Over the longer term, negative customer experience would harm CLECs and ultimately undermine local competition.

**Q. SEVERAL BELLSOUTH WITNESSES EMPHASIZE ITS 271 APPROVALS IN 2002 IN SUPPORT OF ITS UNE-L PROVISIONING PROCESSES. IS THIS A VALID POINT?**

A No. In its Triennial Review Order, the FCC rejected the argument that the 271 approvals demonstrated that CLECs were not impaired without access to unbundled local switching. The FCC emphasized that UNE-L volumes would increase to levels much higher than were evaluated during the 271 process:

> While incumbent LECs reference the Commission's determination in multiple section 271 orders that BOCs provision hot cuts at a level of quality that offers efficient competitors a meaningful opportunity to compete, and argue that performance data show that current hot cut performance is satisfactory, even as the number of hot cuts has increased, we find that the number of hot cuts performed by BOCs in connection with the section 271 process is not comparable to the number that incumbent LECs would need to perform if unbundled switching were not available for all customer locations served with voice-grade loops. In the states where section 271 authorization has been granted, unbundled local circuit switching has been available and, accordingly, the BOCs' hot cut performance has generally been limited. Moreover, ***we find that the issue is not how well the process works currently with limited***

> ***hot cut volumes, rather the issue identified by the record is an inherent limitation in the number of manual cut overs that can be performed, which poses a barrier to entry that is likely to make entry into a market uneconomic. . . . For those reasons, the Commission's prior findings in section 271 orders do not support a finding here that competitive carriers would not be impaired if they were required to rely on the hot cut process to serve all mass market customers.***

(Triennial Review Order, ¶ 469 (footnotes omitted, emphasis added.)

**Q. DOES BELLSOUTH PRESENT EVIDENCE DEMONSTRATING THAT ITS SYSTEMS CAN HANDLE MASS MARKET VOLUMES OF UNE-L ORDERS?**

A. No. BellSouth for the most part simply promises that it can scale its systems to handle higher volumes if called upon to do so. Such promises were unacceptable to the FCC and should be to this Commission as well. As the FCC stated: "We find . . . incumbent LECs' promises of future hot cut performance insufficient to support [an FCC] finding that the hot cut process does not impair the ability of a requesting carrier to provide the service it seeks to offer without at least some sort of unbundled circuit switching." (*Triennial Review Order*, ¶ 469 n.1437.)

**Q. DOES MR. VARNER'S TESTIMONY CONCERNING BELLSOUTH'S PERFORMANCE METRICS SUPPORT BELLSOUTH'S CLAIM THAT ITS SYSTEMS ARE SCALABLE?**

A. No. At best, Mr. Varner's testimony addresses BellSouth's performance with respect to the current low level of UNE-L orders. To make matters worse, his testimony does not give a clear picture of BellSouth's actual performance on UNE-L orders. For example, at page 19 of his testimony, he states that 86.42% of the "UNE Other" (non-UNE-P) LSRs met the flow through standard over a

certain period (apparently March to August 2003). In fact, however, most UNE-L LSRs do not flow through BellSouth's systems. For the period March to August 2003, the percentage of fully mechanized UNE-L orders that BellSouth achieved varied from 3.4% to 30.3%. (BellSouth response to AT&T First Interrogatory No. 28.) This percentage is much lower that the percentage of fully mechanized UNE-P orders over the same period, which ranged from 82.6% to 86.6%. (BellSouth response to AT&T First Interrogatory No. 28.)

**Q. WHAT IS THE SIGNIFICANCE OF THE LOW FLOW THROUGH OF UNE-L ORDERS?**

A. Low flow through means that most UNE-L orders must be processed manually by BellSouth's Local Carrier Service Center. Thus, not only are BellSouth's UNE-L hot cut processes (including the processes used to notify CLECs of the status of a cut) intensively manual, but its ordering processes are largely manual as well. Manual ordering processes greatly compound the problems introduced by the manual provisioning processes, increasing still more the chances for human error and customer service outages and other problems.

**Q. HOW DO CURRENT UNE-L INSTALLATION INTERVALS COMPARE TO UNE-P INTERVALS?**

A. Regional installation intervals for 2 wire analog loops with LNP were 5.06 days for nondesign loops and 5.32 days for design loops in October 2003. Comparable UNE-P installation intervals were 0.36 days for switch-based cuts and 1.52 days for CO based cuts (new installations) during that same period. (See October 2003

report entitled "FOCI UNE and Non-Design Fully Mech Non-Dispatch SQM Region.") Thus, even at current volumes UNE-L migrations take substantially longer than UNE-P migrations.

**Q. BELLSOUTH WITNESSES AINSWORTH AND PATE POINT TO THIRD PARTY TESTING AS EVIDENCE THAT BELLSOUTH'S SYSTEMS SUPPORTING UNE-L ARE ADEQUATE. DO YOU AGREE?**

A. No. Mr. Ainsworth refers to process and transaction testing of hot cuts (PPR-9 and TVV-4) at page 16 of his Direct Testimony, but both of the tests he refers to involved low volumes of orders, either issued by BearingPoint or a CLEC. In addition, the tests did not evaluate the ancillary processes necessary in a UNE-L environment, such as LNP, E911, and CLEC-to-CLEC migrations. Mr. Pate refers to another test (TVV-2) done for normal, peak and stress volumes, but fails to note that the orders tested did not go through the physical provisioning process, meaning there were no actual hot cuts performed. Moreover, TVV-2 involved mostly orders that flowed through BellSouth's order processing systems without human intervention, and thus involved an order mix quite different from one with just UNE-L orders. The bottom line is that BearingPoint never did volume testing of BellSouth's physical hot cut process, nor for that matter was there any volume testing that focused exlusively on UNE-L orders. Third party testing provides no evidence of how BellSouth's systems could be expected to perform with mass market volumes.

**Q. BELLSOUTH WITNESSES AINSWORTH AND HEARTLEY DISCUSS A FORCE MODEL THEY SAY PREDICTS THE NUMBER OF**

**PERSONNEL THAT WOULD NEED TO BE ADDED TO HANDLE ADDITIONAL VOLUMES OF HOT CUTS. DOES THIS MODEL ESTABLISH WHETHER BELLSOUTH CAN SEAMLESSLY PROCESS HIGH VOLUMES OF UNE-L ORDERS?**

A. No. To the contrary, this testimony demonstrates how intensively manual BellSouth's processes are because BellSouth's only proposed way to address much higher volumes of hot cuts is to hire more people. The problem that BellSouth fails to acknowledge is that mass market volumes are of a different order of magnitude than BellSouth's manual processes currently encounter. From March to August 2003, BellSouth's systems issued between 38 to 392 UNE-L service orders per month, whereas they issued between 27,619 to 38,400 UNE-P service orders per month during the same period. (BellSouth responses to AT&T First Interrogatory Nos. 28 and 32.) Unlike the UNE-P orders, most UNE-L orders fell out for manual processing in BellSouth's ordering systems and then had to be provisioned manually as well. Using a mathematical model to calculate the number of additional people that would be necessary in theory to handle such increased volumes fails to address the fundamental question of whether simply staffing up can address the problem. BellSouth also does not appear to address how it would deal with the greater amount of manual order processing that would be required for UNE-L orders, or how that manual order processing would affect the manual provisioning systems. In the end, BellSouth just says "trust me." The Commission should not accept that paper promise since every hot cut that fails will directly impact a Florida consumer.

**Ability of BellSouth's Systems to Process All Types of UNE-L Orders**

**Q. DOES BELLSOUTH ADDRESS ALL THE ORDERING SCENARIOS YOU ADDRESSED IN YOUR DIRECT TESTIMONY?**

A. No. BellSouth focuses on migrations from BellSouth to CLECs and ignores other kinds of transactions, such as CLEC-to-CLEC migrations.

**Q. PLEASE DESCRIBE WHAT IS INVOLVED IN MIGRATING A CUSTOMER FROM ONE CLEC TO ANOTHER.**

A. Of course, the loop needs to be moved from the losing CLEC's CFA to the winning CLEC's CFA, but that process will not provide the customer with the service that he has ordered. A CLEC-to-CLEC migration requires the losing CLEC to make the loop available to the winning CLEC for re-use, which requires providing the correct circuit ID and channel and pair assignment information to the winning CLEC. In addition, the losing CLEC must initiate the 10-digit LNP trigger in its switch and unlock the E911 database. While BellSouth is not directly involved in this process, the customer will not have the service he has requested until that process is complete. This Commission should not force CLECs to move to UNE-L until the CLEC-to-CLEC migration process is in place and tested, since the only "winner" in the chaos that will ensue if customers are "stranded" on one CLEC's platform will be BellSouth.

**Q. HAS BELLSOUTH ADDRESSED THE IDLC PROBLEM SATISFACTORILY?**

A. No. BellSouth proposes eight processes for migrating customers served by IDLC but does not explain in any detail how those processes will be implemented and how CLECs will be notified of the way in which that customer's order has been handled. Despite BellSouth's testimony, MCI has had eight orders to move a customer from UNE-P to UNE-L rejected in Georgia because no spare copper facility was available. BellSouth did not provide any of the alternatives (such as UDLC, hair pinning, side door access) discussed in its testimony. James Webber also discusses this issue in his Rebuttal Testimony.

**Q. HOW SHOULD THE COMMISSION DEAL WITH THE REALITY THAT IMPAIRMENT ARISES NOT JUST FROM BELLSOUTH'S SYSTEMS, BUT FROM OTHER INDUSTRY PLAYERS AS WELL?**

A. As I discussed in my Direct Testimony, the Commission establish a separate docket to address these issues on an industry-wide basis.

**Issues 3 and 6: Batch Hot Cuts and Rolling Access**

**Q. HAS BELLSOUTH DEVELOPED AN ADEQUATE BATCH HOT CUT PROCESS?**

A. No. BellSouth has developed a manually intensive batch ordering process that does not provide a seamless method for transitioning existing UNE-P customers to UNE-L. BellSouth's batch ordering process requires additional steps (a manual spreadsheet, negotiation for due dates and a new bulk LSR) to the process. In addition, the process allows BellSouth to set due dates individually for each of the orders in the batch. These additional steps seem to be contrary to the FCC's

recommendation that a batch process could simplify, streamline, and shorten the UNE-P to UNE-L migration process.

**Q. ARE THERE REASONS TO BE CONCERNED ABOUT THE BATCH ORDERING PROCESS?**

A. Yes. The batch ordering process starts with the requirement that the CLEC provide its Account Manager with a manual spreadsheet listing the lines to be moved. The Account Manager has 7 business days to review the spreadsheet and assign due dates to each of the 99 separate accounts that can be listed. (For a carrier providing residential service, the 99 accounts will translate to 99 individual customers.) The Account Manager then will return the spreadsheet to the CLEC. Unlike all other ILECs, BellSouth does not necessarily assign the same due date to each of the lines on the spreadsheet. BellSouth's apparently random date selection will not allow CLECs to plan for the transition of their customers and will create more work for all involved. Once the CLEC receives the spreadsheet with the listing of lines and proposed completion dates, the CLEC must create the bulk ordering LSR – only then can the orders be submitted electronically to BellSouth's OSS. BellSouth's internal systems will "explode" a single batch LSR into multiple LSRs. This process did not exist and therefore was not tested during the 271 proceedings and BellSouth has not provided documentation on how the process will work. I am concerned that the process will result in more orders falling to manual handling and more errors. At the very least, it adds steps to a process that should simplify the UNE-L ordering process. And because BellSouth's systems must issue multiple internal orders for each LSR, problems

such as the premature disconnects, which were a problem with UNE-P until BellSouth removed its two order process, would likely recur.

**Q. HOW WOULD BELLSOUTH'S BATCH ORDERING PROCESS AFFECT CLECS?**

A. CLECs would need to develop new software to accept and implement the new notifiers that would go with this process. CLECs would get an FOC for the "batch" order and then FOCs for the individual LSRs. MCI believes that there should be no requirement for a spreadsheet, a negotiation process, or the single "bulk LSR." MCI would prefer a process that provides standard due dates and allows the issuance of individual LSRs, but BellSouth continues to refuse to collaborate with CLECs to develop a true batch hot cut process. BellSouth is the only ILEC that has not established collaboratives to develop a batch hot cut process, preferring instead to simply tell CLECs and this Commisison that the existing process is "good enough."

**Q. IS BELLSOUTH'S BATCH ORDERING PROCESS EFFICIENT?**

A. No. The seven business days BellSouth requires for initial negotiation is far too long; the entire process from start to finish should take five business days. CLECs should not be forced to perform additional steps. Due dates should be decided in advance using a scheduling tool such as the one that Verizon is discussing and that SBC is proposing. Communications between the ILEC and the CLEC should be electronic, using a system similar to the Verizon WPTS hot cut tool, the Status Tool recently proposed by Qwest, or the SBC-proposed PWS system. Adding these tools would greatly improve BellSouth's process.

**Q. HOW DOES THE BATCH ORDERING PROCESS ADDRESS LINE SPLIT LINES?**

A. My understanding is that when a customer is served by a UNE-P voice CLEC and a data CLEC over a line splitting configuration, and the customer is being migrated to a UNE-L loop, BellSouth will disconnect the CLEC line from the splitter and thus take down the customer's data service. The line would then be migrated to UNE-L. Theoretically, the CLEC could then order that the line splitting be re-installed, but BellSouth has yet to provide information on how this process will be accomplished, particularly if the CLEC is teaming with a data CLEC to provide line splitting via a second collocation arrangement (one for data). A process that does not allow the customer to retain his or her data provider when he moves to UNE-L is not acceptable and harms customers directly. This process must change so the customer's line splitting arrangement is not taken down.

**Q. WHAT CHANGES MUST BE MADE TO BELLSOUTH'S METRICS TO TAKE ACCOUNT OF THE BATCH PROCESS?**

A. Assuming that BellSouth does not correct its existing process to provide a real bulk migration process, metrics need to be developed that address the process and its possible flaws. Metrics must be developed for errors created by BellSouth in the multiple LSRs generated from the batch LSR. In addition, there needs to be a metric for timely unlocking of the E911 database. A metric also is needed to track the due dates that CLECs are assigned. The earliest due date appears to be 24 business days (7 days to negotiate the batch and then a 17 day window).

Further, the number of "batch" orders that are rejected needs to be tracked. A separate disaggregation for batch orders is needed to ensure that the batch orders move smoothly from ordering to provisioning—that is, from initiation of the order through the provisioning process, including the start and end time given for the whole batch.

**Issue 4: Actual Switch Deployment**

**Q. DOES MCI OFFER SERVICE TO LOCAL MASS MARKET CUSTOMERS TODAY IN FLORIDA USING UNE-L?**

A. No. MCI only offers local mass market service in Florida using UNE-P.

**Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

A. Yes, it does.