

**PUBLIC VERSION**

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of

Application of Ameritech  
Michigan Pursuant to Section  
271 of the Telecommunications  
Act of 1996 to Provide In-  
Region, InterLATA Services in  
Michigan

CC Docket No. 97-1

Volume 2.1:  
Affidavit of Gregory J. Dunny  
on Behalf of Ameritech Michigan

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**AFFIDAVIT OF GREGORY J. DUNNY  
ON BEHALF OF AMERITECH MICHIGAN**

STATE OF ILLINOIS     )  
  ) ss.  
COUNTY OF COOK     )

I, Gregory J. Dunny, being first duly sworn upon oath, do hereby depose and state as follows:

1. My name is Gregory J. Dunny. My business address is 350 North Orleans, Chicago, Illinois 60654. I am the Vice President of Marketing and Sales for the Network Providers Segment of Ameritech Information Industry Services ("AIIS"), a division of Ameritech Services, Inc. In this position, I direct the marketing and sales efforts for the wholesale product line (which includes interconnection, unbundling, resale, etc.) to serve new competitive local exchange carriers ("CLECs") that operate in the Ameritech region.

## **PROFESSIONAL EXPERIENCE AND EDUCATION**

2. I received a Bachelor of Science degree in Engineering from Western Michigan University in 1972. I received a Masters of Business Administration from Michigan State University in 1989.
  
3. I joined Michigan Bell Telephone Company in January 1973. My initial position was Engineer in the Network Engineering Department, with responsibilities for wire center planning, current planning and outstate facilities. In March of 1977, I was promoted to Manager - Network Engineering, with responsibility for outstate facilities and capital budget. In June of 1980, I became Manager of Switching Systems, responsible for switching operations staff and Southfield/University District toll and crossbar. In March of 1984, I became Manager - Network Engineering, with responsibility for network planning. In October of 1984, I was promoted to Director - Network Engineering, with responsibility for equipment estimating. In November of 1986, I became Director - Human Resources, with responsibility for management employment and the initial management development program coordination. In July of 1988, I became Director of Large Business Services, with responsibility for circuit provision centers/special services design. In April of 1989, I became Director of Marketing, with responsibility for carrier services billing quality. In April of 1990, I became Senior Director in the Personnel Department, with responsibility for human resources. In July of 1990, I became Senior Director in the Process Engineering Information Systems Group. In April of 1991, I

took responsibility for Program Implementation and Billing Operations. In June of 1992, I became General Manager of Switching Systems for Michigan Bell Telephone Company. In April of 1993, I was promoted to Vice President of Customer Operations for AIIS. In August of 1995, I assumed my present responsibilities as Vice President of Marketing and Sales for AIIS.

4. AIIS is a business unit of Ameritech that has responsibility for providing sales and service to other telecommunications providers in each of the five states in which Ameritech provides local telephone service. This includes CLECs that are licensed to provide basic local exchange service, including Brooks Fiber, MCI Metro, TCG Detroit, MFS, AT&T and any affiliated carriers providing local exchange service, including any Ameritech subsidiaries that will provide in-region interLATA service (e.g., Ameritech Communications, Inc. ("ACI")).

#### **PURPOSE OF AFFIDAVIT**

5. The purpose of my affidavit is to describe how Ameritech Michigan (hereinafter, "Ameritech") has satisfied the 14 elements of the competitive checklist ("Checklist") set forth in Section 271(c)(2)(B) of the Telecommunications Act of 1996 ("Act") by providing every network element, product and service described in the Checklist in the manner required by the Checklist. In doing so, I will describe the elements, products and services that Ameritech is providing to requesting carriers through Ameritech's

approved interconnection agreements with Brooks Fiber Communications of Michigan, Inc. ("Brooks Fiber"), MFS Intelenet of Michigan, Inc. ("MFS"), TCG Detroit ("TCG") and AT&T Communications of Michigan ("AT&T"). The Brooks Fiber and MFS Agreements were negotiated by the parties and approved by the Michigan Public Service Commission ("MPSC"), while the AT&T and TCG Agreements were arbitrated before being approved.

6. Where applicable, I will explain how Ameritech's contracts satisfy its duties under §§ 251 and 252 of the Act, the FCC's regulations implementing those sections ("Rules"), the FCC's First Report and Order (FCC 96-325 (Aug. 8, 1996) ("Order")), the FCC's Second Report and Order (FCC 96-333 (Aug. 8, 1996) ("Second Report and Order")), the FCC's First Report and Order on Reconsideration (FCC 96-394 (Sept. 27, 1996) ("First Reconsideration Order")), and the FCC's Second Order on Reconsideration (FCC 96-476 (Dec. 13, 1996) ("Second Reconsideration Order")).
  
7. As my affidavit will show, Ameritech is currently providing all Checklist items to Brooks Fiber, MFS, TCG, AT&T and others in a manner that satisfies the Checklist and §§ 251 and 252. Specifically, Ameritech is actually furnishing most of these items to both MFS, Brooks Fiber and TCG at present, and the balance are currently available to MFS, Brooks Fiber, TCG and AT&T under the carriers' Agreements but have not yet been requested.

8. Ameritech has agreed to provide all elements, products and services required by the FCC in the Rules, Order, and Second Report and Order. However, Ameritech believes that some of these requirements exceed the scope of the Act and has challenged those provisions before the Eighth Circuit Court of Appeals. If the courts hold that the challenged provisions exceed the scope of the Act, Ameritech Michigan's contracts will be modified accordingly.
  
9. By way of background, I will briefly discuss the interconnection agreements on which Ameritech relies to show Checklist compliance. First, as noted above, Ameritech has negotiated interconnection agreements with Brooks Fiber and MFS that have been approved by the MPSC. Brooks Fiber is currently providing local exchange service to business and residential customers in Michigan over its own facilities, including a Nortel DMS-500 switch providing dial tone in Grand Rapids (with two other switches being installed in Traverse City and Lansing), more than 300 miles of fiber connecting its switch to about 250 buildings in Grand Rapids, fiber optic networks in Lansing, Ann Arbor, Traverse City, Holland and Zeeland, Michigan; approximately 6,000 loops it has constructed and installed itself, and approximately 12,000 unbundled voice-grade loops leased from Ameritech. MFS is providing local exchange service over its own facilities and via resale, primarily to business customers. MFS' facilities include an Ericsson AXE switch providing dial tone in Southfield, Michigan and an AT&T 5ESS switch providing dial tone in Detroit, 120 miles of fiber optic cable connecting its switches to

more than 100 buildings in the Detroit area, approximately 24,400 loops it has constructed and installed itself, and approximately \_\_\_\_ unbundled voice-grade loops leased from Ameritech.

10. Second, Ameritech has reached interconnection agreements with TCG and AT&T through a combination of negotiation and arbitration. The panel in the TCG arbitration issued its arbitration award on October 3, 1996, and the MPSC issued its order on November 1, 1996 finding that the Agreement satisfied §§ 251 and 252 of the Act. TCG provides local exchange service, primarily to business customers, over its own facilities in the Detroit/Southfield area, including an AT&T 5ESS switch providing dial tone in the Detroit area, a 150-mile fiber optic network in the Detroit area connected to more than 25 buildings, and approximately 6,000 loops it has constructed and installed itself.
  
11. The panel in the AT&T arbitration issued its arbitration award on October 28, 1996, and the MPSC issued an order on November 26, 1996 finding that the agreement satisfied §§ 251 and 252 of the Act. As required by that order, the AT&T Agreement has been filed with the MPSC. The AT&T agreement provides, and includes the approved terms and conditions for, each and every element, product and service mandated by the Checklist.

12. The Brooks Fiber, MFS and TCG Agreements contain Most Favored Nation ("MFN") clauses that, in accordance with § 252(i) of the Act, entitle the requesting carriers to obtain interconnection, network elements or resale services "upon the same rates, terms, and conditions as those provided" in other Ameritech interconnection agreements approved by the MPSC. Brooks Fiber § 28.15; MFS § 28.14; TCG § 29.13. Consequently, Brooks Fiber, MFS and TCG may at any time request and obtain products, services and elements at the same rates, terms and conditions included in the approved AT&T Agreement or in any other approved Agreement. In this way, any Checklist item not currently being furnished to Brooks Fiber, MFS or TCG (because it has not yet been requested) is nevertheless being provided to them in a manner that satisfies § 271(c)(2)(B).
13. For ease of reference, I have created a matrix detailing the provisions in the Brooks Fiber, MFS, TCG and AT&T Agreements that demonstrates that every Checklist item is available on rates, terms and conditions that satisfy the Checklist, §§ 251 and 252, and all applicable FCC Rules. This matrix is attached as Schedule 1.
14. My affidavit may be read together with other affidavits of other Ameritech employees to give a full picture of Ameritech's Checklist compliance in terms of the "4 P's": Product, Price, Provisioning and Performance. Specifically, I discuss the products (and elements and services) that Ameritech provides, Mr. Palmer describes the prices for

those products, Mr. Mayer and Mr. Rogers describe the provisioning of those products, and Mr. Mickens describes the measurements and reports Ameritech uses to ensure that its performance meets the "equal in quality" requirement of 47 C.F.R. § 51.311.

**I. CHECKLIST ITEM (i): INTERCONNECTION**

15. A Bell Operating Company ("BOC"), such as Ameritech, may satisfy the interconnection requirements of the Checklist by providing "[i]nterconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1)." 47 U.S.C. § 271(c)(2)(B)(i). As detailed below, Ameritech's interconnection Agreements fully satisfy this mandate.

**A. Methods of Interconnection**

16. Consistent with § 251(c)(2)(A) of the Act and the FCC's Rules, Ameritech provides interconnection with its network for the transmission and routing of telephone exchange traffic and/or exchange access traffic. 47 C.F.R. § 51.305(a)(1); Order ¶ 184. Brooks Fiber §§ 5.0, 6.0; MFS §§ 5.0, 6.0; TCG §§ 5.0, 6.0; AT&T § 3.1. Ameritech will provide interconnection at any technically feasible point within its network via physical or virtual collocation, a "Fiber-Meet" arrangement, or by any other requested interconnection method that is consistent with the Act and to which the parties agree. 47 U.S.C. § 251(c)(2)(B), (c)(6); 47 C.F.R. § 51.321(a), (b). Brooks Fiber §§ 4.2.1, 4.2.2, 12.0; MFS §§ 4.2, 12.1-.4; TCG §§ 4.3, 12.1-.4; AT&T §§ 3.2, 3.3. Both collocation and Fiber-Meet arrangements are discussed in more detail below.

17. The access Ameritech provides to points of interconnection will be equal in quality (as defined by 47 C.F.R. § 51.311) to what Ameritech provides to itself (except where requested otherwise) and will meet the same technical criteria and standards used in Ameritech's network for a comparable arrangement. 47 U.S.C. § 251(c)(2)(C); 47 C.F.R. § 51.305(a)(3), (4). Brooks Fiber §§ 4.2.1, 4.5.3; TCG § 4.2; AT&T §§ 3.6, 3.8, Sch. 3.8. These issues are discussed by Mr. Mickens and Mr. Mayer. Upon request, a carrier also may receive access that is superior to what Ameritech provides to itself or others. See AT&T § 3.6.
18. Ameritech currently furnishes Brooks Fiber, MFS, TCG and MCI Metro with interconnection at the trunk side of a local switch and at the trunk interconnection points of a tandem switch, as well as virtual collocation in a number of wire centers.

**1. Physical and Virtual Collocation**

19. Except where Ameritech determines that physical collocation is not practical for technical reasons or because of space limitations, Ameritech provides physical collocation on its premises of carrier-owned equipment necessary for interconnection with Ameritech's network for the transmission and routing of local exchange or exchange access traffic or for access to Ameritech's unbundled network elements as required by 47 U.S.C. § 251(c)(6) and 47 C.F.R. § 51.321(e). Brooks Fiber §§ 4.2.2, 12.0; MFS § 12.1; TCG § 12.1; AT&T § 12.1. Where physical collocation is not available, virtual collocation

of carrier-designated equipment is provided where technically feasible. Brooks Fiber §§ 12.1, 12.3, 12.4; MFS §§ 12.1, 12.3, 12.4; TCG §§ 12.1, 12.3, 12.4; AT&T § 12.2-3, Sch. 12.12.

20. Ameritech's physical collocation product allows a requesting telecommunications carrier to place its equipment in a dedicated space separated from Ameritech's equipment area. The requesting carrier may choose to further separate its designated area from those of other carriers by adding an enclosure. Such carrier may have access to its equipment at all times, subject to compliance with Ameritech's requirements regarding safety and security. 47 C.F.R. § 51.323(i). See AT&T § 12.17.
21. Requesting telecommunications carriers can reserve physical collocation space, subject to certain reasonable conditions. AT&T § 12.9, Sch. 12.9.1. A requesting carrier with active physical collocation arrangements, or ordering active arrangements, can reserve an amount of space equal to the space involved in the active physical collocation arrangement in the same office. AT&T Sch. 12.9.1(1), (3). Reservations are prioritized on the basis of when they are received, consistent with 47 C.F.R. § 51.323(f)(1). AT&T Sch. 12.9.1(4).
22. With virtual collocation, the requesting telecommunications carrier leases the collocated equipment to Ameritech for \$1 and arranges for its installation in Ameritech's central

office through an Ameritech-approved vendor. Ameritech's maintenance and repair of virtually collocated equipment will be equal in quality to comparable products that Ameritech provides to itself. 47 C.F.R. § 51.323(e). AT&T § 12.8.1, Sch. 12.12.

23. With either physical or virtual collocation, Ameritech provides an interconnection point or points, physically accessible by both Ameritech and the requesting carrier, at which the fiber optic cables carrying the requesting carrier's circuits enter Ameritech's premises. 47 C.F.R. § 51.323(d)(1); AT&T § 12.8.1. The interconnection points are as close as reasonably possible to Ameritech's premises. AT&T § 12.8.1. There are at least two such interconnection points at each of Ameritech's premises at which (1) there are at least two entry points for the requesting carrier's cable facilities and (2) space is available for new facilities in those entry points. 47 C.F.R. § 51.323(d)(2). AT&T § 12.8.1.2. Ameritech will also allow interconnection of copper or coaxial cable if such interconnection is first approved by the applicable state commission. 47 C.F.R. § 51.323(d)(3). AT&T § 12.8.1.3.

24. Pursuant to § 51.323(b) of the FCC's Rules, equipment that may be collocated includes the following:

- Optical Line Terminating Multiplexers (OLTMs)
- Central Office Multiplexers
- Digital Cross-Connect Panels (DSX Panels)
- Optical Cross-Connect Panels (OCX Panels)
- Digital Loop Carrier Equipment
- Data Over Voice (DOV) Equipment

- Any other transmission equipment collocated as of August 1, 1996, necessary to terminate basic transmission facilities pursuant to 47 C.F.R. §§ 64.1401 and 64.1402

AT&T § 12.5. These types of equipment have been deemed necessary to interconnect with Ameritech's network or to access unbundled network elements. See 47 U.S.C. § 251(c)(6). As permitted by the Rules, collocation is not available for switching equipment or for equipment used to provide enhanced services. 47 C.F.R. § 51.323(c).

AT&T § 12.5.2. Carriers may, however, collocate equipment used for signal regeneration or for any other purpose or in any other manner or method required by the Act, MPSC or FCC. AT&T § 12.5.2.

25. In order to link collocated equipment to the requesting carrier's network, the equipment may be connected to unbundled transport provided by Ameritech or to a facility owned by the carrier or leased from a third party. 47 C.F.R. § 51.323(g). AT&T § 12.6. In compliance with the FCC'S Rules, 47 C.F.R. § 51.323(g), collocated equipment will be connected to Ameritech's network or elements via Ameritech Cross-Connection Service to:

- End Office Integration Service
- Unbundled Loops
- Unbundled Local Switching
- Number Portability Direct Transport
- Tandem Switching Service
- Unbundled Interoffice Transport
- Channel Service

26. Upon request, collocators may also cross-connect with each other's collocated equipment, provided that both carriers' collocated equipment is being used for interconnection with Ameritech or for access to Ameritech's network elements, the carriers provide connecting transmission facilities that comply with Ameritech's technical and engineering requirements, and the connecting transmission facilities are contained wholly within space provided solely for physical collocation on Ameritech's premises. 47 C.F.R. § 51.323(h). AT&T § 12.7.

**2. Meet Point Interconnection Via Fiber-Meet**

27. Fiber-Meet is the second interconnection method that Ameritech is providing to satisfy the Section 271 Checklist. 47 U.S.C. § 271(c)(2)(B)(i); 47 C.F.R. § 51.321(b). Fiber-Meet is an interconnection architecture method whereby the parties interconnect their networks via an optical fiber interface, as opposed to an electrical interface, at a mutually agreed-upon location where one party's responsibility for service begins and the other party's ends. 47 C.F.R. § 51.321(b). If a Fiber-Meet is used to interconnect Ameritech's and the requesting telecommunications carrier's network, the parties will jointly engineer and operate a single Synchronous Optical Network ("SONET") transmission system. Brooks Fiber § 4.3; MFS § 4.2; TCG § 4.3; AT&T § 3.3.1.

28. Each party will be responsible for providing its own transport facilities to the Fiber-Meet and for the cost to build out its facilities to the Fiber-Meet. AT&T § 3.3.9. The details of how this interconnection will be implemented are set forth in AT&T § 3.3.

**B. Points of Interconnection and Trunking Architecture**

29. The FCC's Rules require that interconnection be available at the line-side and trunk-side of the local switch, the trunk interconnection points for a tandem switch, central office cross-connect points, out-of-band signaling transfer points necessary to exchange traffic at those points and access call-related databases, and points of access to unbundled network elements. 47 C.F.R. § 51.305(a)(2). Ameritech provides requesting telecommunications carriers with interconnection at all of these points as a standard product. AT&T § 3.5. Of course, upon request, Ameritech also will provide interconnection at other technically feasible points. 47 U.S.C. § 251(c)(2)(B); 47 C.F.R. § 51.305(a)(2). AT&T Sch. 2.2. If Ameritech denies a request for a particular interconnection, it will be prepared to demonstrate to the MPSC why that arrangement is not technically feasible. 47 C.F.R. § 51.321(d).

30. Interconnection at these points is provided under nondiscriminatory and reasonable terms and at the same level of quality that Ameritech provides comparable interconnection to itself and its affiliates. 47 U.S.C. § 251(c)(2)(C) and (D). Brooks Fiber § 4.2.1; MFS § 4.1; TCG § 4.2; AT&T § 3.8. Equal-in-quality interconnection is achieved through

use of the same or equivalent facilities, interfaces, technical criteria and service standards as Ameritech itself uses. Order ¶ 224. Brooks Fiber § 4.2.1; TCG § 4.2.3; AT&T § 3.6. Upon request, Ameritech will also provide interconnection arrangements that are of greater or lesser quality. 47 C.F.R. § 51.305(a)(4). AT&T § 3.6. In establishing such requirements, Ameritech fulfills its obligations under Section 271(c)(2)(B)(i) and 251(c)(2)(B) and (C) to interconnect with other carriers at a level of quality that is at least equal to what Ameritech provides itself.

31. Ameritech requires that separate trunks be used to carry interLATA exchange access traffic. AT&T § 5.2.3. For the completion of local switched and intraLATA toll traffic, Ameritech provides one-way or two-way trunks dedicated to the purpose of integrating the end offices and/or tandem offices of both carriers. 47 C.F.R. § 51.305(f). AT&T § 4.3. Local and intraLATA toll traffic may be routed on a single trunk, provided that the Calling Party Number and Called Party Number are passed to Ameritech with the call information. See AT&T § 4.6.
  
32. Ameritech allows interconnection for access traffic through separate Access Toll Connecting Trunks ("TCTs"), which provide tandem-transported exchange access traffic to IXCs. AT&T § 5.2. TCTs are provisioned to allow requesting telecommunications carrier end users to connect to or be connected by any IXC connected to an Ameritech access tandem. AT&T § 5.2.2. TCTs provide a trunk-side connection between the

requesting telecommunications carrier office and an Ameritech access tandem. AT&T § 5.2.3. TCTs are jointly engineered by Ameritech and the requesting telecommunications carrier to carry the anticipated traffic to and from the IXC involved. AT&T § 5.2.1. These trunks apply the same trunk circuit equipment, same transmission options, same signaling options and same signaling protocols used by Ameritech to connect to other local exchange carriers outside its exchanges.

33. As of mid-December 1996, 9,250 interconnected trunk lines of competing carriers were in service in Michigan -- up from 5,500 in May 1996. Of these, Brooks Fiber had approximately \_\_\_\_ trunk lines, and TCG had approximately \_\_\_\_ trunk lines. Also as of mid-December 1996, CLECs were virtually collocated in 21 Ameritech wire centers. Brooks Fiber and MFS are currently collocated in 12 Ameritech wire centers in Michigan, and TCG is collocated in at least one such center. Further, Ameritech has 17 requests for virtual collocation pending; five of these will be completed in early 1997, and the other 12 are awaiting final customer action. Ameritech also is providing virtual collocation to requesting carriers, including MCI Metro, under its tariff. The data regarding the number of trunk lines interconnected to Ameritech, as well as other data referred to throughout this affidavit, have been provided to Doctors Harris and Teece for use in preparing their affidavit.

**II. CHECKLIST ITEM (ii):**  
**ACCESS TO UNBUNDLED NETWORK ELEMENTS**

**A. General Unbundling Rules**

34. The Checklist requires BOCs to provide "Nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1)." 47 U.S.C. § 271(c)(2)(B)(ii). The Checklist also specifies certain network elements that must be unbundled from other elements. These are local loop transmission from the central office to the customer's premises (subsection (iv)), local transport from the trunk side of a wireline LEC switch (subsection (v)), local switching (subsection (vi)), and databases and associated signalling necessary for call routing and completion (subsection (x)). In addition, BOCs must unbundle and provide nondiscriminatory access to directory assistance and operator call completion under subsection (vii).
35. In its Order, the FCC added certain other core network elements that BOCs must unbundle: network interface devices for access to customer inside wiring ("NIDs") and access to Operations Support Systems ("OSS") functions. See 47 C.F.R. § 51.319(b), (f).
36. Each of these core network elements must be provided on an unbundled basis by all incumbent LECs. Incumbent LECs also must allow requesting carriers to combine network elements. 47 U.S.C. § 251(c)(3); 47 C.F.R. § 51.315. Network elements must also be provided on an equal-in-quality basis. 47 C.F.R. § 51.313. As I will discuss,

Ameritech provides nondiscriminatory and equal-in-quality access to the full range of core unbundled facilities and equipment, on both an individual and rebundled basis. Upon request, Ameritech will provide other technically feasible network elements required by the Act and Rules. See Brooks Fiber § 9.5; MFS § 9.5; AT&T § 9.6.

37. As noted above, the Checklist requires Ameritech to satisfy § 251(c)(3) of the Act, which states that incumbent LECs have a duty to provide

nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory in accordance with the terms and conditions of the agreement and the requirements of this section and section 252. An incumbent local exchange carrier shall provide such unbundled network elements in a manner that allows requesting carriers to combine such elements in order to provide such telecommunications service.

Ameritech provides requesting carriers with nondiscriminatory, unbundled access to network elements for use in providing telecommunications services to their customers. AT&T § 9.1.1. Access to network elements is provided on a nondiscriminatory and equal-in-quality basis under rates calculated consistent with the requirements of Section 252(d)(1) and the FCC's Rules, as discussed by Mr. Palmer.

38. Later in this affidavit, I will discuss Ameritech's compliance with the requirements of the Act and the FCC Rules relating to each core network element. First, however, I will discuss Ameritech's compliance with several general requirements imposed by the FCC's Rules regarding access to all network elements.

39. As required by 47 C.F.R. § 51.307(c), Ameritech provides network elements to requesting carriers in a manner that allows them to provide any telecommunications service that may be provided by means of that element. Brooks Fiber §§ 9.0, 9.5.2; MFS § 9.5.1; TCG § 9.5; AT&T § 9.1.1.
40. Ameritech also provides access to the facilities or functionality of a network element separately from access to other elements and for a separate charge. 47 C.F.R. § 51.307(d). AT&T § 9.2, 9.3.2.
41. Ameritech does not impose any limitations, restrictions or requirements on requests for or use of an element that would impair a requesting carrier's ability to provide a telecommunications service in the manner it intends. 47 C.F.R. § 51.309(a). AT&T § 9.1.1.
42. Ameritech allows a requesting carrier to purchase an unbundled element in order to provide exchange access service to itself. 47 C.F.R. § 51.309(b). AT&T §§ 9.1.1, 9.3.1, 9.3.3. Regarding local switching, that element is available for use in providing access services consistent with the requirements of the FCC's First Reconsideration Order (§§ 10-13). Requesting carriers "may not use that switching element to provide interexchange service to end users for whom that requesting carrier does not also provide local exchange service."

43. Requesting carriers are entitled to exclusive use of an unbundled network facility, and to use of features, functions or capabilities of that facility, for a set period of time. 47 C.F.R. § 51.309(c). AT&T §§ 9.1.1, 9.3.1, 9.3.3. Nevertheless, Ameritech retains the obligation to maintain, repair or replace unbundled network elements. 47 C.F.R. § 51.309(c). AT&T § 9.9.

44. Certain general requirements call for more detailed discussion. These are: (1) Ameritech's duty to provide other technically feasible network elements, (2) Ameritech's duty to provide access that is "equal-in-quality" and (3) Ameritech's duty to combine network elements upon request.

**1. Bona Fide Request Process For New Unbundled Network Elements and Points and Methods of Interconnection**

45. When a requesting carrier desires to (1) interconnect to Ameritech's network at a new point or to purchase new or different unbundled elements, (2) achieve interconnection or access to a network element that is different in quality from what Ameritech provides itself or (3) receive a customized service, Ameritech addresses the matter via its Bona Fide Request ("BFR") process. See Brooks Fiber Exh. A; MFS Exh. A; TCG Exh. A; AT&T § 2.2, Sch. 2.2. The BFR process in Michigan works as follows: First, requesting carriers specify precisely what they want on the detailed BFR Form. Second, Ameritech has 30 days in which to conduct a preliminary analysis of the technical feasibility and regulatory compliance of the request and to prepare a preliminary report

for the requesting carrier. Third, if that carrier then authorizes further development, Ameritech has up to 60 days to analyze the request further and conduct price and cost analyses before providing a final BFR Quote, including proposed price and implementation terms. In some circumstances Ameritech will provide a BFR Quote within the initial 30 days. AT&T Sch. 2.2(6). A requesting carrier may cancel the BFR at any time but remains responsible for Ameritech's reasonable development costs.

46. The BFR Form seeks information on preexisting access to an element at a particular point, and Ameritech considers such access significant evidence of technical feasibility of access at substantially similar points. 47 C.F.R. § 51.311(d). Access to a network element or a combination of elements may be considered feasible at a particular point, even if such access requires novel use of, or some modification to, Ameritech's equipment. Thus, Ameritech includes consideration of any modifications to facilities to the extent necessary to accommodate requests for interconnection or access to network elements. The BFR Form also gives requesting telecommunications carriers the option of entering into nondisclosure agreements but does not impose overly broad, restrictive or coercive nondisclosure requirements that may well have an anticompetitive effect.
  
47. In determining technical feasibility, Ameritech looks solely at technical or operational matters and does not include consideration of economic, accounting, billing, space or site concerns, except that space and site concerns may be considered in circumstances where

there is no possibility of expanding the space available. However, specific, significant and demonstrable network reliability concerns are regarded as relevant evidence that access to a requested network element at that point is not technically feasible. If Ameritech concludes that it cannot satisfy a BFR because of technical feasibility, including infeasibility as a result of adverse network reliability impacts, it will specify the reasons why to the requesting carrier and will be prepared to demonstrate to the MPSC that such interconnection, access or method is technically infeasible, including because it would result in specific and significant network reliability impacts.

48. If a requesting telecommunications carrier wishes to purchase a new network element or interconnection that is technically feasible but that requires significant development or modification of existing facilities, systems software, etc. and is therefore expensive, Ameritech will develop the interconnection element where the requesting telecommunications carrier agrees, pursuant to Section 252(d)(1) of the Act, to bear the cost of developing the capability to provide that element, including a reasonable profit. The requesting telecommunications carrier also bears the cost of any expansion or modification necessary to provide the network element.

**2. Equal-in-Quality**

49. The FCC's Rules require that, to the extent feasible, the quality of an unbundled network element, as well as the quality of the access to such unbundled element, that an