permitted to retain for its use, the existing assigned telephone number provided that the end-user remains at the same location.

112. SWBT provides interim number portability to LSPs primarily through Remote Call Forwarding ("RCF"), which SWBT offers as Local Number Portability - Remote, and Direct Inward Dialing ("DID"), which SWBT offers as Local Number Portability - Direct. (STC Appendix PORT 2 E 1 and 2.) These services are offered in full compliance with the FCC's Rules and the FCC's First Report and Order on Number Portability.

113. Interim number portability is being provided as a transitional service until long-term database number portability is deployed. In its First Report and Order on Number Portability, the FCC found that RCF and DID are the only currently technically feasible methods of providing interim number portability. (STC, Brooks and USLD Appendix PORT)

114. SWBT has also agreed to provide "NXX Migration" in lieu of RCF and DID interim number portability. NXX migration is the reassignment of NXX codes when all of the customer numbers being served in that NXX are assigned to end-user customers who chose to subscribe to a single LSP.

115. As required by the FCC, SWBT will recover the costs of providing interim number portability in a competitively neutral manner established by the Oklahoma Corporation Commission, This methodology has not yet been developed. In the meantime, SWBT has agreed to defer collection of charges from all requesting LSPs. SWBT also proposes that the LSPs keep track of their costs of providing number portability.

IX. CHECKLIST ITEM (xii): LOCAL DIALING PARITY

116. Checklist item (xii) requires SWBT to provide:

> (xii) 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). 47 U.S.C. § 271(c)(2)(B)(xii).

Section 251(b)(3) provides the following requirement:

> (3) DIALING PARITY.--The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no unreasonable dialing delays.

SWBT's STC meets both of these requirements. (STC VI. B) and (Brooks and USLD Section VI.B.1 as well as Section IV. B)

117. The FCC Rules (§ 51.207) specify that local dialing parity means that telephone exchange service customers within a local calling area may dial the same number of digits to make a local telephone call regardless of the identity of the customer's or the called party's local service provider. SWBT's interconnection arrangements fully meet this requirement. The FCC's Second Report and Order, at ¶ 71 stated that local dialing parity is also 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, SWBT has implemented each of these in accordance with the Act and the FCC Rules.

118. SWBT's interconnection arrangements do not require any LSP to use access codes or additional digits to complete local calls to SWBT customers. Neither are SWBT customers required to dial any access codes or additional digits to complete local calls to the

customers of any LSP. The interconnection of the SWBT network and the network of LSPs will be seamless from a customer perspective. There are no built-in delays or differences in dialing requirements.

X. NONDISCRIMINATORY TREATMENT OF LSPs and IXCs

119. In the following paragraphs I will describe SWBT's public switched network that will be used to provide interconnection and unbundled network elements to LSPs and to SBCS and other IXCs in Oklahoma. I will also show that, from a technical perspective, SWBT cannot reasonably engage in a concerted plan to discriminate in favor of itself or its affiliate, or against other service providers. Furthermore, if SWBT did attempt to engage in such discrimination, that discrimination would be easily detected.

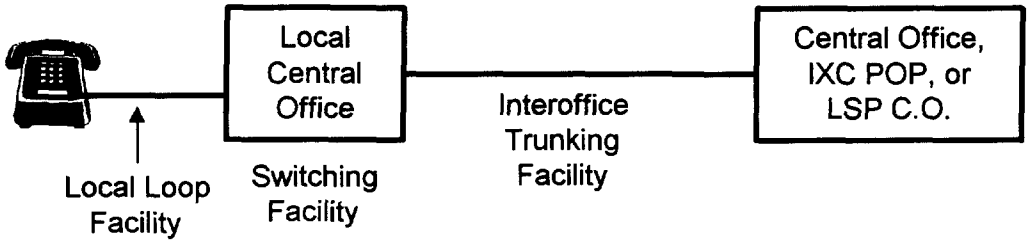
120. SWBT will not be able to discriminate in favor of itself or SBCS, or against LSPs or IXCs, because SWBT will provide the LSPs and IXCs with exchange and interexchange access, network interconnection, collocation, unbundled network elements and resold services using the existing network facilities, systems and databases that are used to serve SWBT's retail customers. Where applicable, the same service parameters, intervals, standards, procedures, and practices that SWBT uses to serve retail customers will also be used to provide services to LSPs and IXCs, including SBCS.

121. Discrimination regarding these services and network elements is not practical because they are provided utilizing the facilities, switches and systems that were specifically designed to automatically provide nondiscriminatory service. SWBT's network is not currently designed, and no changes are planned, to identify or segregate traffic or services of individual carriers. All types of traffic, such as, local, intraLATA toll and interLATA, are carried on trunks and loops intermingled with traffic from many carriers, and users are

switched by local and tandem switches pursuant to standard software and routing tables. The process of identifying and interfering with the traffic of various LSPs and IXCs would be a major undertaking that would require the assistance of several equipment manufacturers and therefore would be easily detectable.

122. To be successful, any such discrimination plan would require a significant reconfiguration of SWBT's network and related systems, including modifying or replacing a substantial portion of the generic software that drives its switches and systems. Such software changes would require the involvement of non-affiliated switching equipment manufacturers. Any such scheme would also require the coordinated participation of hundreds of SWBT technicians. This kind of concerted discrimination is not only impractical, but assuming for the sake of argument it was attempted, would be obvious.

123. SWBT's telecommunications network is a multi-purpose, mixed-use network. The network is capable of transmitting voice, data, and video information on a local and intrastate basis, and for intrastate and interstate access to long distance carriers. The network is composed of three basic building blocks. These are the loop facilities, the central switching offices, and the interoffice trunking facilities. The interoffice trunk facilities include the interoffice signaling system.



124. The loop facilities (or outside plant equipment) are the communications paths that connect a customer's location to a central switching office or to another transmission facility. The

loop is typically a pair of copper wires, but as will be discussed later, it may also be a pair of glass fiber lightguides.

125. The central switching office, or central office (C.O.), is the hub of the loop facilities for a geographical area known as a wire center. The central office contains the switching machine that connects one customer's loop facilities to another, or a customer's loop facilities to a trunk to another central office. The central office also contains the distributing frame that allows any loop facility in the wire center to be associated with any telephone number available in the switching machine. In addition, the central office provides the power to operate the telephones that are connected to the loop facilities.

126. The interoffice trunking facilities are the communications paths between the switching machines. In a town that is served by a single switching machine, all trunks are usually used for access to long-distance carriers or for operator services. In large cities, there are local trunks that are used to connect customers to each other through different central offices in the city. Trunking facilities may be simple copper wires, but they are most often electronic carrier systems connected to copper wires or fiber optic transmission systems. The signaling information for the trunking facilities may be transmitted between switches using either MF or SS7 protocol signaling.

127. Collectively the above elements make up SWBT's public switched network, and are used to provide virtually all of the company's telecommunications services to consumers and other carriers. I will discuss the configuration of each of these components separately and will show that large scale discrimination in each component is not feasible to implement and would be easily detectable in any event. Since discrimination in each component of the

network is not feasible, discrimination in the combined network is also infeasible and, if attempted, would be easily detected.

Switching Systems

128. The central switching office, or central office (C.O.), is the hub of the loop facilities for a geographical area known as a wire center. The central office contains the switching machine that connects one customer's loop facilities to another, or a customer's loop facilities to a trunk to another central office. The central office also contains the distributing frame that allows any loop facility in the wire center to be associated with any line termination available in the switching machine. In addition, the central office provides the power to operate the telephones that are connected to the copper loop facilities. A central office switching machine usually is comprised of line terminations, or line ports; trunk terminations, or trunk ports; a switching matrix; and a control system that provides the ability to have multiple features associated with the lines and trunks.

129. SWBT's network in Oklahoma utilizes analog electronic switching systems and digital switching systems. These switches are manufactured and programmed by Lucent (AT&T), Nortel, and Ericsson. None of these companies are affiliates of SWBT.

130. These computer controlled switches are designed to operate under stored program control utilizing software provided by the switch manufacturers. That is to say, when a customer dials a call, the call is handled by the switch under control of a software program that handles all like traffic in the same manner. For example, when a customer picks up his/her handset, the switch knows the customer is initiating a request for dial tone. The switch responds by causing the dial tone to be applied and prepares to receive digits. This is accomplished by a software routine that regularly scans for off-hook conditions. These

software routines are designed by the manufacturers to handle all like traffic in a similar manner and to provide all comparable features and capabilities of the switch on a generic basis. They cannot easily be modified to differentiate based upon the identity of the LSP or IXC serving the customer. Any attempt by SWBT to modify this core software would violate the manufacturer's warranty and would be detectable by the switch vendor during routine switch servicing or during the next software upgrade. Such modifications could also jeopardize overall network reliability.

131. A LSP customer will be connected to the SWBT central office switch at a unbundled switch port element. An unbundled switching port consists of the central office switch hardware (card) and software required to permit a LSP customer to access the SWBT switch in order to send or receive information over the SWBT switched network. Ports provide access to the basic functionality of the switching components of SWBT's network, including signaling, digit reception, translation, routing, and call supervision. Dial tone, telephone numbers and ringing signaling are associated with the ports. Multiple switch ports are physically located on a single line card and will be assigned to both SWBT and LSP customers. It is not possible to deteriorate the service of one customer without affecting the others.

132. The unbundled Local Switching element provides the originating switching in the end office where the switch port is located. It provides call processing and switching to the proper line or trunk port within the switch. A call that originates on a line port may be completed to another line port on the same switch or to a trunk port for transport to another central office or to a SWBT tandem switch. It also includes the use of all features and functions available on the switch.

133. A tandem switch is a switch that is designed and programmed to connect interoffice trunks to other interoffice trunks. Interoffice trunks from the individual end offices are connected to the tandem switch to form a network connecting all offices. In this case, the tandem being discussed is the local tandem that is used in exchanges with more than one local switching office. In the large exchanges there is a separate switch that is used for tandem switching. In smaller exchanges, one of the local central offices will be used for tandem switching for interconnection purposes.

134. The generic software that controls these switches is developed and provided by the switch manufacturer and is proprietary to and controlled by that manufacturer. The software is designed to provide equal access and nondiscriminatory service to all traffic as required by existing legal and regulatory requirements. For example, AT&T (now Lucent Technologies) and Nortel manufactured the switches that serve the majority of SWBT's Oklahoma customers. Neither Lucent nor Nortel provide, within their generic software, the ability for SWBT or any other LEC to discriminate in the routing of local or tandem traffic or in the provision of any central office feature or service. To undertake such discrimination, SWBT would have to obtain the assistance of Lucent and Nortel in an extensive re-writing of their switch software. In addition, due to the multiplicity of switch vendors in Oklahoma, Ericsson would have to be included in the effort as well.

135. The generic switch software also controls the collection of all of the digits and the routing of the calls. The software used for routing of traffic in the switch is established by the manufacturers during switch design. Again, any attempt by SWBT to modify the fundamental switch software to handle traffic of certain carriers differently would be detected by the switch manufacturers during software reloads.

136. Since SWBT's switches do not currently have the technical capability to identify and treat differently exchange access, toll or local traffic of specific providers, SWBT cannot reasonably discriminate in the provision of local or tandem switching functions regarding that traffic. For the same reasons, SWBT is not technically able to discriminate regarding unbundled local or tandem switching, switching services provided in support of resold local exchange services and vertical features and other capabilities of its local and tandem switches, such as dial tone and telephone numbers.

137. Even if such differentiation among carriers were practicable, which it is not, any resulting degradation or enhancement would be detected, not only by the switch manufacturer but by the interconnecting carriers themselves. Carriers routinely deploy automatic test equipment and performance monitoring devices to provide general quality assurance functions. As discussed earlier, SWBT will provide test lines that can be used by the LSPs and the IXCs to test individual lines and trunks at any time without the aid of SWBT technicians. Any attempt to discriminate would be detected during such routine testing.

Interoffice Trunking Facilities

138. The interoffice trunking facilities are the communications paths between switching machines. In a town that is served by a single switching machine, and has no extended area calling arrangements, all of the trunks are used for long-distance calls. In large metropolitan areas, there are local trunks that are used to connect customers served by the different central offices in the local calling scope. Trunking facilities may be simple copper wires, electronic carrier systems, or fiber optic lightwave guides. Associated with the trunking is a signaling system. This may be an "in-band" signaling system, such as Multifrequency ("MF") signaling, where the signals are transmitted on the same path that is used for

transmitting the voice or data communications, or an "out-of-band" signaling system such as Signaling System 7 ("SS7").

139. SWBT will make available capacity on all types of interoffice transmission facilities available to requesting LSP. These include analog circuits on copper cables, digital circuits on copper cables using T-carrier, and digital circuits on fiber optic cables. The LSPs may order shared interoffice transport or dedicated interoffice transport.

140. When a LSP chooses to utilize shared interoffice transport, the LSP's traffic will be intermixed with the interoffice traffic of SWBT and other carriers, including SBCS and other IXCs in some cases, on the same trunk groups. If service is degraded for one carrier, it will be degraded for all. Likewise, if there is blocking between two offices, traffic for all carriers will be blocked. SWBT maintains records of trunk group performance that can be compared to what the interconnecting carrier is experiencing on its traffic. As will be discussed later, SWBT has been providing shared interoffice transport service to IXCs for many years with positive results.

141. Therefore, it would be exceptionally difficult, if not impossible, to design the interoffice transmission facilities used by SWBT to connect its end office switches to each other, and to the local tandem, in such a manner as to degrade only calls of unaffiliated LSPs or IXCs or to improve the quality of its own customer's calls or those of SBCS customers. The transmission path that carrier a SWBT call at any one time may carry a call for a LSP the next minute. There is no feature of these transmission facilities to identify the company serving a customer on an individual call.

142. Dedicated transport, using SWBT facilities to connect LSP switches could possibly be designed to offer a lesser grade of transmission quality than is provided for SWBT's own trunk groups. However, these facilities are the easiest for the LSP to test and monitor the quality of the transmission since they are connected to the LSP switch and test equipment. It is unlikely that any such discrimination would go unnoticed. The IXCs have dedicated trunks to many offices today and continually test and analyze the service they are receiving.

Local Distribution Facilities

143. SWBT has established one or more wire centers in each of the exchanges it serves in Oklahoma. Each wire center is a defined geographic area and is served by a central office. Within a central office, a main distribution frame ("MDF") is installed to cross-connect the local switch to local distribution facilities or loops that connect end user customers to the network.

144. From these central offices, copper cables or fiber optic cables extend out to the business districts and residential neighborhoods that are located within the wire center. Most of the facilities eventually terminate at end user premises, where they are connected to a network interface device ("NID") on the end user customer's premises. Some of the, copper wires have been equipped with digital loop carrier ("DLC") systems which combine or "multiplex" up to 96 communications paths from several different end users over a high speed digital facility to the central office.

145. A short piece of cable, called a drop, connects the local distribution cable, to the NID on the end user's premises. The drop can be either strung from a pole to the customer's premises, or buried underground.

146. As described above, local loops are normally concentrated on large cables in the distribution and feeder systems. Cable pairs used to serve one end user customer are freely intermixed with cable pairs used to serve another. The same cable pair may be used one day to serve a retail customer of SWBT and a day later used to provide an unbundled loop to a LSP, if that customer changes its subscription to the LSP. Or the same pair may be used to allow the LSP to resale SWBT's services. Further, the same cable pair is used to carry any traffic originating from or terminating to the end user access line involved, regardless of the carrier involved. At any point in time a cable pair may be carrying a local call through SWBT's network, or an interLATA call to SBCS, MCI, AT&T or some other long distance carrier. As is the case with interoffice facilities, there is no ability for the local loop to handle a competitor's call differently than a call of a SWBT customer.

147. SWBT will serve all LSPs using the same local distribution systems that it uses to provide service to its retail customers. Thus, SWBT will co-mingle local loop facilities utilizing the same distribution and feeder systems as its competitors. Like those of its competitors, SWBT's loops will be provided through cables and equipment that are connected with other cables capable of handling large numbers of loops on a single cable and will not be separately identified. Unbundled local loops and resale services will be provided on the same facilities as SWBT currently uses to serve its own customers. Indeed, often there are only a few pairs of wires that can be used to serve an individual customer location. These wires must be assigned to the whichever carrier that the customer orders service from. However, these wires are co-mingled with those from other customer locations as the cables increase in size on their way to the central office.

148. When the LSP orders unbundled local loops for connection to its own switch, the switch will be capable of testing the loop on a regular basis. Since SWBT will have no active electronics equipment on most of the loops, it would be impossible for SWBT to randomly vary the service quality of the loop. Thus, it would be a simple process for the LSP to determine the source of any transmission problems. If these loops did not match the standards of the loops used by SWBT it would be apparent at once.

149. Not only will SWBT use the existing loop and feeder distribution system to serve its retail customers and unaffiliated LSPs, but specific loops in those systems are assigned by automated systems that do not recognize the identity of the requesting carrier or customer. These systems are Facility Assignment and Control System ("FACS"), Service Order Analysis and Control ("SOAC"), Loop Facility Assignment and Control System ("LFACS") and Computer System for Mainframe Operations ("COSMOS"). They automatically assign loop facilities on a nondiscriminatory basis such as the time of receipt of the request and the transmission characteristics needed to provide the requested service.

150. The systems that assign and repair loops are automated, interconnected and interrelated. Once an order has entered these systems, it is automatically handed off from one system to the other whenever possible. It is virtually impossible and impractical to attempt any type of discrimination or manipulation of the assignment process. In addition, any attempt to alter specific parts of the process typically necessitates substantial changes in other portions of that process and/or other downstream systems.

151. It is not technically feasible today for SWBT to segregate the loop facilities provided to unaffiliated LSPs, without changing the existing operations support systems for these facilities. Of course, any such system changes would be obvious. Like switches, many of

these operations support systems are purchased from third parties, who would have to be requested to modify their existing software in order to discriminate. Thus, software modifications of the type required to practice any type of discrimination would be time consuming, costly and require the cooperation of multiple vendors. Moreover, given the testing capabilities of competitors' switches, any below standard performance would quickly be detected and generate a repair request.

152. Thus, the only possible way to discriminate regarding local distribution facilities would be to segregate in some way the loop facilities used by SWBT or its competitors, and selectively enhance or degrade them. This would not only be impractical and very expensive, but it would be obvious and easy to detect. Moreover, competitors will frequently order "as is" in the resale mode or reuse via coordinated conversion local loop facilities currently used by SWBT to provide its own services to the end user, making SWBT's ability to discriminate even more remote.

Interoffice Signaling Systems

153. The two basic signaling concepts used in telecommunications networks are circuit associated signaling and common channel signaling. Prior to SS7, which is a form of common channel signaling, circuit associated, or in-band, signaling was used on all local central office trunking and much of the long distance trunking networks. AT&T used CCIS, another form of common channel signaling, on some of its long distance trunking.

154. With circuit associated signaling, all signaling information is carried on the same facility as the voice path. Since signaling and voice share the same path, it is necessary to limit signaling to periods when no voice transmission is occurring. In general, this limits signaling to the set-up time prior to the called party's answer and after the completion of the

call. With common channel signaling, the signaling information and voice information are carried on separate facilities. This allows signals to be transmitted at any time during a connection. One signal channel is used to transmit the signaling information for a large number of voice paths.

155. The primary elements of the SS7 network are the Signal Transfer Point, the signaling links and the Service Switching Point (SSP.) The STP is a packet switching device that provides signaling distribution for the network. A central office or tandem switching machine that is equipped to process SS7 signals is a SSP. The transmission paths that connect SSPs to STPs and STPs to other STPs are called signaling links.

156. Signal links connecting a SSP to a STP are called Access Links, or A-Links. The connections between STPs operated by two different network owners are called Bridge Links, or B-Links. Crossover Links, or C-Links are used to connect a pair of STPs operated in the same network. Each signaling link operates at 56 Kilobits per second (Kb/s.)

157. Two or four 56 Kb/s data links are used to connect a pair of Signal Transfer Points in each LATA to a LSP's SS7 facilities. When a large LSP has its own STPs, the data links will be between a pair of LSP STPs and a pair of SWBT STPs in each LATA. A LSP that does not have STPs may connect each of their switching machines to the LATA SWBT STP pair.

158. SWBT provides access to its signaling network to interexchange carriers and other local exchange companies today, and will provide such access to LSPs under the same terms and conditions. The SS7 signaling network is a separate, highly automated network that utilizes

shared facilities, generic software and fast packet switches to perform call-set-up signaling and to route administrative messages on the same basis for all traffic, regardless of the source, destination or carrier involved. Moreover, the same switches, STPs cables, signaling protocols and routing tables that SWBT uses for itself will be used to provide signaling for requesting LSPs.

159. Since LSPs will use the same signaling network on the same basis as SWBT itself uses, it is not practical for SWBT to identify separately, or handle differently, comparable traffic of itself or that of LSPs. Further, any attempt to discriminate on a large scale would require a major reconfiguration of SWBT's SS7 network, which would be easily detected.

160. SWBT has been providing both direct interoffice transport and shared interoffice transport services and tandem switching service to interexchange carriers since 1984. During this time, both SWBT and the IXCs have developed methods of monitoring both the performance of SWBT in providing services and maintaining the services once installed. For example AT&T has a very detailed performance evaluation system that it uses with SWBT. This system measures over 100 performance items each quarter. Included are such items as Access Network Reliability, maintenance of test lines, installation of test lines, SS7 network performance, percent of trunk groups exceeding AT&T grade of service, due dates not met, and many other measures of interoffice transport performance.

161. SWBT's access tariffs incorporate the specifications for transmission quality for access services provided to IXCs. For example, Tariff F.C.C. No. 73, § 6.7.10 lists the acceptance test that are performed cooperatively between SWBT and an IXC at the time that various services are installed. These include test of transmission loss, C-notched noise, C-message noise, 3-tone slope, direct current continuity, and operational signaling. Other test may be

included for particular services. With the results of these initial baseline test, a carrier would be able to detect any degradation of the facility after it was installed.

162. The most common type of access connection is a Feature Group-D trunk. The transmission specifications and testing capabilities of this type of service are detailed in § 6.7.8 and § 6.7.10 of Tariff F.C.C. No. 73. Included in the testing capabilities is seven digit access to a balance (100 type) test line, milliwatt (102 type) test line, nonsynchronous or synchronous test line, automatic transmission measuring (105 type) test line, data transmission (107 type) test line, loop around test line, short circuit test line, and open circuit test line. In addition in-service test may be scheduled any time after the installation for verification of circuit performance. All of these access test facilities will continue to be available to SBCS and other IXCs. This will enable any carrier to detect service problems on the facilities being obtained from SWBT.

163. F.C.C. Tariff No. 73, §§ 6.7.14 and 6.7.15 provide specific obligations of SWBT concerning the design of Switched Access Services. These sections include a provision that requires SWBT to provide service performance data on end-to-end service and trunk group data such at the total load offered. Section 6.7.3 also includes the design blocking criteria to be applied to each type of service ordered by the IXC. These services will continue to be available to IXCs and SBCS.

164. In addition, many carriers have established monitoring projects to establish their own required levels of service. SWBT has cooperated in these projects to maintain the desired levels of service. As discussed above AT&T has a detailed monitoring process. This plan covers all phases of SWBT's operations as they relate to the provision of switched and

special access services to AT&T. Any change in the level of service being provided to it by SWBT after the start of operations of SBCS would be immediately detected.

165. When a LSP orders the various unbundled network elements, SWBT loses control of the facilities used to provide most of the elements. Because of this, SWBT also loses the ability to effect the quality of those elements. For instance, most (over 90 % in Oklahoma) unbundled local loop that will be connected to a LSP switch have no active electronic elements provided by SWBT. These elements will be simple copper wires. SWBT will have no ability to vary the quality of these lines in such a way that it would not be easily detectable by the LSP. Dedicated transport facilities will be provided over the same facilities as are used to provide service to SWBT, its customers, and the IXCs. Again, there is no way to cause undetectable problems on these facilities without also degrading the service provide to SWBT customers. The local switching element and the tandem switching elements are provided using the same switches used to provide service to SWBT customers. The SS7 signaling network elements are the most sensitive portions of the network and are under constant surveillance. It would be impossible to degrade the service to one or more LSPs without detection. In summary, SWBT will provide unbundled network elements using the same switches, cables, and electronics as it uses today to serve its own customers and the IXCs. There will be no opportunity for discrimination against the IXCs or LSPs, or in favor of SWBT and its affiliate SBCS.

166. This concludes my affidavit.

The Information contained in this affidavit is true and correct to the best of my knowledge and belief:

William C. Deere

Subscribed and sworn to before me this 8th day of April, 1997

Maryann Purcell NOTARY PUBLIC

My commission expires:

Jan 5, 2000

MARYANN PURCELL
Notary Public - Notary Seal
STATE OF MISSOURI
ST. LOUIS COUNTY
MMISSION EXP JAN. 5,2000

6

US OFFICE PRODUCTS

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the matter of	)	
	)	
Application of SBC Communications Inc.,	)	
Southwestern Bell Telephone Company,	)	
and Southwestern Bell Communications	)	CC Docket No.
Services, Inc., d/b/a Southwestern Bell Long	)	
Distance, Pursuant to Section 271 of the	)	
Telecommunications Act of 1996 to Provide	)	
In-Region Originating, InterLATA Services	)	
in Oklahoma	)	

AFFIDAVIT OF JOHN GUELDNER
ON BEHALF OF PACIFIC BELL

STATE OF)
) ss.
COUNTY OF)

I, John Gueldner, being first duly sworn upon oath, do hereby depose and state as follows:

A. AFFIANT'S BACKGROUND AND DUTIES

1. My name is John Gueldner. I am Vice President-Regulatory for Pacific Bell ("PB"), a wholly owned subsidiary of Pacific Telesis Group ("PTG"), which is a wholly owned subsidiary of SBC Communications Inc. ("SBC"). PB is a "Bell operating company" ("BOC"), as defined in Section 3(4) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("the 1996 Act").[1] PB is an incumbent local exchange carrier within its operating area in California. Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance ("SBLD") is an affiliate of PB through which SBC will provide in-region interLATA services in Oklahoma under the 1996 Act.

2. As Vice President-Regulatory, I am responsible for both state and federal regulatory relations on behalf of Pacific Bell. I oversee regulatory policy and strategy, state and

[1] All References to the Communications Act of 1934, as amended by the Telecommunications Act of 1996, shall be made as "Section ___."

federal filings, tariffs, monitoring and compliance, regulatory audits, complaint administration and resolution, and affiliated interest matters.

3. Educational Background

In 1965, I received a Bachelor of Arts Degree from the University of California, Berkeley. In 1967, I received a Master of Business Administration from the University of California, Los Angeles; and in 1970, I received a Systems Design Certificate from the University of Pennsylvania, Wharton School.

4. Work Experience

I joined Pacific Bell in 1966. Over the next several years, I held positions as a Sales Manager for Account Support (Data and Private Line) and as a Statistician. In 1971, I was promoted to Supervisor and held positions in Management Information Systems, Statistical Research and Budgets, and Marketing Services. In 1980, I took over responsibility for Service Cost, Separations and Settlements. I was responsible for cost support for the rate case filings, as well as the settlements for the National Exchange Carriers Association ("NECA") pool and the oversight and management of pooling in California. In 1987, I became Vice President, Financial Management, a company officer, where I was responsible for business planning, financial tracking and results. In November 1991, I assumed my current position as Vice President-Regulatory for Pacific Bell.

B. PURPOSE OF AFFIDAVIT

This affidavit demonstrates that PB will comply with the separate affiliate rules of Section 272 of the 1996 Act and with the FCC accounting safeguards as promulgated in the Accounting Safeguards Report and Order, Appendix B, Final Rules, Part 32, Section 32.27, as required by Section 272 of the 1996 Act, and the FCC's transactional rules in its

relationship with SBLD or any other SBC Section 272 affiliate that carries out the authorization requested in this Application.[2]

C. PB IS A "SEPARATE AFFILIATE" AND WILL "OPERATE INDEPENDENTLY" FROM SBLD

1. PB is a Separate Affiliate from SBLD

a. PB is a completely "separate affiliate" from SBLD. PB is a corporation organized under the laws of the State of California and is a wholly-owned subsidiary of PTG, which is a wholly-owned subsidiary of SBC. PB owns no stock of SBLD; correspondingly, SBLD owns no stock of PB.

b. PB provides the following telecommunications services in the State of California:

i. telephone exchange service;

ii. intraLATA telephone toll service;

iii. exchange access service;

iv. resold local exchange services and unbundled network elements;

v. operator services;

vi. certain other regulated and non-regulated services related to the provision of telecommunications.

2. PB is Separate Affiliate from PBCOM

a. PB is a completely "separate affiliate" from PBCOM. PBCOM is a corporation organized under the laws of the State of California and is a wholly-owned subsidiary of PTG, which is a wholly-owned subsidiary of SBC. PB owns no stock of PBCOM; correspondingly, PBCOM owns no stock of PB.

b. PBCOM does not provide any telecommunications services.

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[2] See In the Matter of Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended, Report and Order, CC docket No. 96-149, FCC 96-489 (rel. Dec. 24, 1996) ("Non-Accounting Safeguards First Report and Order"); In the Matter of Implementation of the Telecommunications Act of 1996; Accounting Safeguards Under the Telecommunications Act of 1996, Report and Order (re. Dec. 24, 1996) ("Accounting Safeguards Report and Order"). Applicants reserve their rights with regard to the filing of a petition for review with a court of competent jurisdiction.

3. PB will "Operate Independently" from SBLD

a. PB and SBLD do not and, as long as the requirements of Section 272 and the applicable regulations remain in effect, will not jointly own telecommunications transmission and switching facilities or the land and buildings on which such facilities are located.

b. SBLD is not currently providing to PB, and as long as the requirements of Section 272 or any lawful regulations remain applicable, PB will not accept from SBLD, operating, installation, or maintenance services in connection with PB's switching and transmission facilities, although PB may obtain such services from SBLD in the event PB purchases sophisticated equipment from SBLD within the meaning of paragraph 164 of the Non-Accounting Safeguards First Report and Order. PB has no existing plan to purchase such equipment from SBLD or to have SBLD install or maintain such equipment for PB.

c. As long as the requirements of Section 272 or any lawful regulations remain applicable, neither PB nor any PB affiliate, other than a Section 272 affiliate, will perform operating, installation, or maintenance functions associated with the switching or transmission facilities that SBLD owns or leases from a provider other than PB.

d. PB will not provide any services that constitute "operations, installation, or maintenance" functions in connection with the switching or transmission facilities of SBLD.

4. PB Will "Operate Independently" from PBCOM

a. PB and PBCOM do not and, as long as the requirements of Section 272 and the applicable regulations remain in effect, will not jointly own telecommunications transmission and switching facilities or the land and buildings on which such facilities are located.

b. PBCOM is not currently providing to PB, and as long as the requirements of Section 272 or any lawful regulations remain applicable, PB will not accept from PBCOM, operating, installation, or maintenance services in connection with PB's switching and transmission facilities, although PB may obtain such services from PBCOM in the event PB purchases sophisticated equipment from PBCOM within the meaning of paragraph 164 of the Non-Accounting Safeguards First Report and Order. PB has no existing plan to purchase such equipment from PBCOM or to have PBCOM install or maintain such equipment for PB.

c. As long as the requirements of Section 272 or any lawful regulations remain applicable, neither PB nor any PB affiliate, other than a Section 272 affiliate, will perform operating, installation, or maintenance functions associated with the switching or transmission facilities that PBCOM owns or leases from a provider other than PB.

5. Services Currently Provided to SBLD

a. To date, PB has not provided any services to SBLD. If SBLD obtains services from PB, such transactions will be recorded on a basis consistent with Parts 32 and 64 in accordance with the Accounting Safeguards Report and Order.

b. To the extent SBLD purchases joint marketing or administrative services from from PB, it will be on terms and conditions consistent with Section 272 and any applicable FCC regulations as adopted in the Accounting Safeguards Report and Order.

c. SBLD may negotiate with PB on an arms-length basis to obtain transmission and switching facilities from PB, to arrange for collocation of facilities, or to provide or to obtain services other than those described above or expressly prohibited in the Non-Accounting Safeguards First Report and Order. SBLD and PB will account for any affiliate transaction between SBLD and PB in accordance with the rules adopted by the FCC in the Accounting Safeguards Report and Order.