

TAB G-2-15

**EXHIBIT C**

December 16, 1996

Mary Maher  
Account Manager  
NYNEX Wholesale Services  
222 Bloomingdale Road  
White Plains, NY 10605

Dear Mary:

I am writing to express my concern about NYNEX's failure to meet a December 13, 1996 commitment to begin transmission of daily usage information to LCI. Despite having over 8 weeks to prepare for this transmission, NYNEX was unable to perform this critical task as scheduled.

Further, NYNEX's escalation process proved to be ineffective. You stated that the problem had been escalated "four levels" within NYNEX's Information Systems Organization, however, nothing was done to expedite the delivery of LCI's usage information. You cited insufficient resources as the reason for delay and lack of response.

Obviously, this situation is unacceptable to LCI. LCI is therefore requesting immediate responses to the following:

- 1.) LCI is making a second request for an escalation list for usage and billing issues. This list is to include a direct "fifth level" contact (a NYNEX Assistant Vice President or Department Head) since a "four level" escalation procedure was proven to be ineffective. This list will be used by LCI's management to resolve critical problems related to usage and billing information transmission.
- 2.) LCI requests that NYNEX provide evidence of sufficient staffing to support wholesale billing and systems issues.

Resolution to these issues will be essential if LCI International is to maintain parity with NYNEX in billing capabilities. Please let me know how NYNEX will respond to these issues.

Sincerely,  
  
Michael Page

Copies to: Peter Karokczkai  
Greg Casey  
Mark Shriver  
Mike Wajsgas

TAB G2-16

January 16, 1997

Mary Maher  
Account Manager  
NYNEX Wholesale Services  
222 Bloomingdale Road  
White Plains, NY 10605

Dear Mary:

I am writing to request resolution to the following outstanding issues:

1. **Monthly Bill Detail File:** Per our previous discussions, NYNEX has yet to provide LCI with a bill detail file for any of LCI's accounts. LCI has been receiving a paper copy of an abbreviated bill; however, this abbreviated summary does not provide an adequate level of detail for LCI's purposes. At least one bill due date (1/10/97) has passed. This issue was first reported on January 8, 1997.
2. **GUI Updates:** LCI has previously requested that NYNEX provide a date and time stamp on all GUI transactions. As of 1/17/97, LCI has received no response from NYNEX regarding this issue. Resolution to this issue is critical if LCI is to monitor service provisioning parity issues. LCI has also requested (on 12/4/96) that NYNEX provide adequate error messages on GUI system errors. As previously discussed, we have found that NYNEX error messages do not provide adequate information on system problems or editing errors.
3. **GUI Access:** LCI is requesting that NYNEX provide "supervisory access" to GUI user ID accounts. The current access configuration only allows access to an individual user. Customer service and order entry supervisors are unable monitor the activities of order entry or customer service personnel who utilize the GUI for pre-sales, order entry, provisioning and repair functions.

Resolution to these issues will be essential if LCI International is to maintain parity with NYNEX in provisioning and billing capabilities. Please let me know how NYNEX will respond to these issues.

Sincerely,

Michael Page

Copies to: Greg Casey  
Mike Wajsgras

February 24, 1997

Mary Maher  
Account Manager  
NYNEX Wholesale Services  
222 Bloomingdale Road  
White Plains, NY 10605

Mary,

The purpose of this letter is to notify you of an increasing delay in the receipt of daily usage files from NYNEX. As of February 24, 1997, it is taking 7 days to receive approximately 92% of call records. For comparison purposes, 92% of call records received through January 24, 1997, were being sent to LCI within 4 days of recording.

Such an increase in lag time for receipt of call records highlights significant problems in the processing and/or transmission of call records by NYNEX. Receipt of these call records in a timely manner is essential if LCI is to maintain parity with NYNEX in customer billing capabilities. Please advise me as to a remedy for this problem at your earliest convenience.

Sincerely,

Mike Page  
LCI International

CC: Mike Wajgras  
Greg Casey

TAB G-2-18

March 14, 1997

Mary Maher  
Account Manager  
NYNEX Wholesale Services  
222 Bloomingdale Road  
White Plains, NY 10605

Dear Mary:

The purpose of this letter is to report some key operational issues that are preventing LCI from maintaining parity with NYNEX in provisioning and customer service capabilities. The following issues continue to be recurring problems and require immediate resolution by NYNEX:

**Missed Due Date Commitments:** During the most recent 30 day period (2/10/97 to 3/12/97), NYNEX failed to meet committed due dates on 36% of orders initiated out of one of LCI's order processing centers (the Dublin OH, Customer Service Center). The attached document lists 36 orders with commitment dates and actual completion dates.

**Operational Support System Access:** Operational Support System access continues to be restricted during early morning hours (before 7:00 AM) and frequently during the business day. This lack of consistent access, coupled with NYNEX's refusal to deploy any backup procedures in the event of system outages, puts LCI at a clear disadvantage relative to NYNEX in providing service to end users.

**Lack of Supervisory Access on the NYNEX Wholesale GUI:** LCI has repeatedly requested to obtain the capability to have multiple users access pre-service order, service order and trouble ticket work on the GUI. Currently, NYNEX restricts access to all pre service order, service order and trouble ticket activity to a single user. NYNEX therefore puts LCI at an economic disadvantage since dedicated resources must be deployed for specific accounts. Further, unlike NYNEX's retail business office supervisors, LCI's provisioning and customer service supervisors cannot perform work reviews and audits.

**Trouble Resolution:** LCI has experienced delays in getting trouble tickets worked due to its status as a reseller. On at least three occasions over the past 60 days (see attached summary) processing of customer trouble tickets has been delayed because NYNEX personell were either unwilling to perform work for LCI directly or were unaware of the procedures for performing work on behalf of LCI. In each case, the end user's service was negatively impacted due to a lack of knowledge and/or commitment on the part of NYNEX personnel. Until NYNEX successfully educates it employee base on the procedural and legal issues related to wholesale services, carriers such as LCI will not be able to maintain parity with NYNEX with respect to end-user trouble resolution.

**Unauthorized PIC changes:** LCI has experienced several incidents in which NYNEX personnel have changed a customer's PIC without authorization. In addition to the obvious customer service problems, such activities can be extremely damaging to LCI's reputation.

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**Access to Provisioning Assistance:** LCI has not experienced consistent access to provisioning assistance. During a recent issue on 3/10/97, LCI was unable to reach the provisioning supervisory as neither voice mail or the roll-over number was working. As previously documented, LCI has experience similar occurrences when attempting to access the operations center via the general number.

Resolution to these issues will be essential if LCI International is to maintain parity with NYNEX in provisioning and service capabilities. Please let me know how NYNEX will respond to these issues.

Sincerely,

Michael Page

Copies to: Greg Casey  
Mike Wajsgas

TAB 6-2-20

March 21, 1997

Mary Maher  
Account Manager  
NYNEX Wholesale Services  
222 Bloomingdale Road  
White Plains, NY 10605

Dear Mary:

The purpose of this letter is to report some additional missed due dates that are preventing LCI from maintaining parity with NYNEX in provisioning and customer service capabilities. These issues have surfaced since the last letter dated 3/14/97 and should be discussed on today's conference call.

Of 43 orders submitted between 2/28 and 3/10 (see attached) due dates were missed on 38 occasions. LCI has received no jeopardy notification on these missed due dates. LCI has documented two occasions in which customers have decided not to convert to LCI services as a result of the delays.

Obviously, the missed due date situation that LCI is experiencing is unacceptable from a service and a parity issue. On today's conference call, we will need to discuss resolution to this issue as well means by which to receive parity reporting with respect to NYNEX service levels for its retail accounts.

Sincerely,

  
Michael Page

Copies to: Greg Casey  
Mike Wajsgras

TAB G2-21

**LCI International®**  
**Worldwide Telecommunications**

Anne K. Bingham  
Vice President  
Telecommunications

March 24, 1997

**HAND DELIVERED**

Mr. Jack Goldberg  
Vice President Wholesale Services  
NYNEX  
1095 Avenue of the Americas, #4043  
New York, NY 10035

Dear Jack:

Over the past several months, Mike Page of LCI (703-610-3826) has raised several customer impacting issues to NYNEX Wholesale Services. Two of these issues -- delays in provisioning and usage transmission -- are particularly troublesome in that they are clearly preventing LCI from maintaining service parity with NYNEX. Although these issues are being escalated through your operations organization, I want you to be aware of the nature and the magnitude of some of the issues that LCI is currently facing. These issues are summarized below:

***Delayed Billing:*** LCI is not receiving call detail within an acceptable timeframe. According to both NYNEX and LCI measurements, LCI consistently receives call records that are well over 48 hours old. Further, NYNEX does not transmit usage information on weekends and holidays. NYNEX and LCI are working towards a comparable means of measuring the timeliness of delivery of Daily Usage Files. By any measure, however, NYNEX is failing to provide LCI with capability to maintain parity in billing services with NYNEX.

***Provisioning Timeliness:*** NYNEX is failing to meet promised due dates on an unacceptably high percentage of orders. Over a recent 30 day period, NYNEX missed due dates on 36% of orders issued by LCI's customer service center. LCI currently has basic orders that have been issued up to ten days ago without confirmation. On two occasions, LCI's prospective customers switched back to NYNEX out of frustration over the inability to get desired services. These issues are being escalated to NYNEX operational personnel. NYNEX is in the process of examining the specific orders and responding to LCI. NYNEX's delays in provisioning LCI orders is preventing LCI from maintaining parity with NYNEX with respect to provisioning service to its customers.

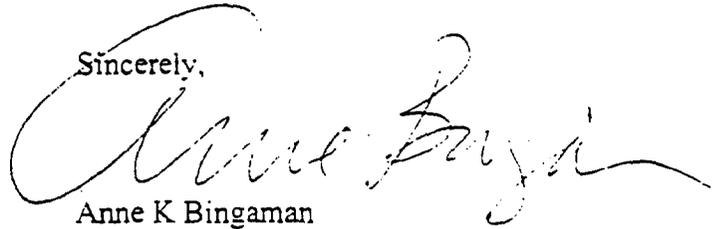
TAB 62-22

Mr. Jack Goldberg  
March 24, 1997  
Page 2

Resolution of these matters is essential if LCI is to maintain parity with NYNEX in provisioning and billing capabilities.

We are unable to compete head-to-head with NYNEX until we resolve these issues.

Sincerely,



Anne K Bingaman

AKB:slg

TAB G-2-23



## PANEL - KLEIN

1           A       (Dailey) We have been doing, RCN have been  
2 reselling pretty much since it's been allowed in New  
3 York State, October 8th, I believe, and as of that  
4 time we had a lot of different experiences and shared  
5 many in some of NYNEX's growing pains.

6                   One thing specific to the OSS that we are  
7 experiencing still today is that we are unable to  
8 enter trouble tickets into the GUI system. We've  
9 been trying to do so for better than two months. As  
10 of yesterday April 1st was the first time we were  
11 ever able to complete the those metallic line test,  
12 MLT. Yesterday was the first day we were able to  
13 complete that. The trouble process has been very  
14 convoluted.

15           Q       How do you? Is this to report a problem,  
16 trouble tickets?

17           A       (Dailey) It's been a combination of faxing,  
18 chasing down the appropriate repair personnel via  
19 phone and following through on the system like that.  
20 That's basically what we've been able to do. There's  
21 not been a solid written format such as using the web  
22 GUI to track our troubles up until at least still  
23 from I believe as of our records yesterday was the  
24 first day we were able to do remote testing on our

TAB H-1

## PANEL - KLEIN

1 own.

2 Another issue that we had that Mr. Miller  
3 just addressed we do know there are still many orders  
4 you can put in that do not flow directly to NYNEX's  
5 Operating Support Systems. Mr. Miller has identified  
6 he said there were eight that are now available.

7 A (Miller) That is correct.

8 A (Dailey) So we've known we've put an order  
9 in and since the web GUI has worked as well as a fax  
10 but NYNEX is then able to print out a paper copy,  
11 carry it to an individual and manually put it into  
12 the manual flow systems their Operating Support  
13 Systems. This has resulted in some problems and  
14 serious slowdowns for us in putting our products in  
15 place and having them be operational or our customers  
16 because of the human element.

17 Specifically, a couple of issues have  
18 occurred. One has been we've been receiving  
19 confirmation. We put into the web GUI system and put  
20 in an order and you get back on day 1. Day one is  
21 expected to be flipped over to the reseller and the  
22 due dates have been received but there have been  
23 problems on NYNEX's side and delays to start a  
24 service beyond the confirmed due date.

## PANEL - KLEIN

1 Q Mr. Kennedy, you're testifying, you're not  
2 cross examining. You tell us your experience and you  
3 can tell us the issues it raises for you and I'm sure  
4 that one of the attorneys in the room will follow up  
5 on your question?

6 A (Kennedy) Fair enough. Okay. So I'll just  
7 leave it then with my--my experience is our response  
8 time has been a minute and 40 seconds, and we are  
9 unable to access a customer's service record if we  
10 only know working telephone numbers and not bill  
11 telephone numbers. I'll leave it at that.

12 BY JUDGE STEIN:

13 Q Which of the systems that we've heard  
14 described do you use?

15 A (Kennedy) We use EIF.

16 Q You're the one customer who uses EIF?

17 A (Kennedy) That's correct.

18 Q Is it an effective system for your  
19 ordering?

20 A (Kennedy) It's not effective in the eyes  
21 of our customers because the response time that we  
22 get on messages is slower than they would expect from  
23 us. When a customer calls us and asks is a feature  
24 available in my area, and I have to tell them--we

## PANEL - KLEIN

1 have to wait two minutes to get an answer. It is not  
2 effective for us.

3 Q Do you call them back? Do you put them on  
4 hold?

5 A (Kennedy) Typically, we have to call them  
6 back and the same on a repair. A customer calls us  
7 up with an inquiry on a repair and I have to either  
8 ask that customer to hold on for two minutes to give  
9 him his repair appointment or have to find a way to  
10 call him back which is oftentimes difficult in the  
11 case of a repair.

12 Q Thank you.

13 BY MR. KLEIN:

14 Q Let me just ask a follow-up. What time  
15 period would you expect? What would you consider  
16 reasonable?

17 A (Kennedy) Reasonable for a mechanized  
18 transaction in my mind would be less than ten  
19 seconds.

20 Q Ten seconds to accomplish what, I mean,  
21 what?

22 A (Kennedy) Ten seconds from the time I send  
23 a message to the time that I get the information  
24 back.

## PANEL - KLEIN

1 we've documented in terms of omissions and  
2 discrepancies to date.

3 Another thing, talking about the web GUI, I  
4 want to make it very clear that it is not an  
5 electronic interface, okay. An interface is really a  
6 common point of interconnection between two systems  
7 where the systems interact upon each other and  
8 increase without human intervention, okay.

9 A web GUI interface, as we've discussed,  
10 involves not only our customer reps entering  
11 information to the web GUI but then going back and  
12 reentering the same information to our internal  
13 system. Why is it we have to reenter information  
14 again?

15 One, we have to know when the customer  
16 calls us to let the customer know what they have.  
17 Second, we need to be able to bill back to our  
18 end user so that's why we need to have such  
19 understanding internally in our capabilities.

20 Again, compared to the NYNEX rep they do  
21 not have to do double entry of order information and  
22 also that there is a certain other aspect we can  
23 discuss more but I think that's the main point; a web  
24 GUI is not an electronic interface.

## PANEL - KLEIN

1 order book service and we expect to be able to  
2 conduct all of our business, especially, really, from  
3 a residential and small business perspective, we  
4 expect that we will be able to complete it on one  
5 phone call, and from what we can tell, we don't have  
6 what we need as a CLEC to be able to do that for our  
7 customers and we will be perceived as a less than  
8 capable provider as such.

9 Other issues that we found with the GUI in  
10 our trials, there seemed to be areas of the GUI that  
11 were not functionally complete, scenarios that were  
12 not yet programmed into the GUI. Over time we've  
13 seen there have been some improvements but being able  
14 to disconnect to what we call a partial disconnect  
15 where a customer may want to disconnect a portion of  
16 the line that they have, they have five lines and we  
17 want to disconnect two. That was not supported.

18 We found that it was very poor support for  
19 being able to support multiple features on a single  
20 order and it is very cumbersome for the CLEC and we  
21 do not believe from—we understand that NYNEX resale  
22 reps have this same burden.

23 We experience a lot of error messages that  
24 we cannot interpret. Again we—the image we have the

## PANEL - KLEIN

1 The last thing with respect to EIF is that  
2 in Mr. Miller's testimony he states that this is a  
3 universal specification which sort of suggests this  
4 is some kind of standard or universally used format  
5 for sending orders or whatever perhaps throughout the  
6 country.

7 Well this could not be further from the  
8 truth. It is true that NYNEX submitted EIF for  
9 consideration to what is called the ECIC committee,  
10 communications committee that looks at mechanized  
11 standards for exchanging data, and in the recent  
12 results from this committee, the committee had with  
13 five or six proposals on the table. They've been  
14 looking at since November, specific to preordering,  
15 since preordering has been quite a bit of debate.

16 On March 7th they did take a vote. The  
17 voting members of this committee looked at five  
18 different technologies, NYNEX being included with  
19 their EIF proposal.

20 JUDGE STEIN: I'm going to interrupt you,  
21 unless you have firsthand experience with this  
22 committee, I'm not sure that this is the forum.  
23 I'd be happy to have a report of the  
24 transactions of this committee and where it

## PANEL - KLEIN

1 stands. It has been an issue, but perhaps you  
2 do have firsthand experience but, if not, I'd  
3 rather have it in another form?

4 THE WITNESS: (Spivy) We can certainly  
5 provide minutes of the committee members.

6 JUDGE STEIN: Or a writeup if there's  
7 differences about it.

8 A (Spivy) I think the result is critical  
9 here, that of the five that were being evaluated  
10 NYNEX's was evaluated as the least favorable  
11 alternative, and the industry will be moving forward  
12 with an EDI, using what's called a transport protocol  
13 called TCP/IP. They will be moving forward with that  
14 industry standard for all the preordering exchanges  
15 of data.

16 And so for us we've seen this moving in  
17 this direction and we certainly, this is a critical  
18 thing for a large national CLEC as ourselves will be  
19 looking to implement industry standards throughout  
20 the country for these interfaces.

21 MR. ROWE: Point of information: Are we  
22 going to do this by report or bring the witness'  
23 testimony?

24 JUDGE STEIN: I don't think we can take any

## PANEL - KLEIN

1 standard is adopted, then that standard can be used  
2 by all companies throughout the country, all LECs  
3 within New York and all LECs within the U.S.

4 The last point on preorder was mentioned  
5 before was BTM information is not available, is not  
6 available. Business telephone number, the billing  
7 number is not available from a working telephone  
8 number.

9 My experience with this is when switching a  
10 line from a Sprint to a NYNEX account, that's the  
11 reverse of the way we'd like to see things in the  
12 future but was that I provided a working telephone  
13 number to the representative and within a matter of  
14 moments they were able to provide me with a BTM. So  
15 in some way they have access to a system that  
16 provides that information.

17 On ordering processes, the GUI is used for  
18 ordering processes, also, and, again, the GUI is not  
19 parity. It requires dual entry and by dual entry, I  
20 mean, I enter information into my system and have to  
21 wheel around and enter information into the GUI  
22 system, my cost, and then you have to wait on the  
23 response times.

24 Also, the GUI--and they are working on

## PANEL - KLEIN

1 improving this but the GUI provides me as a manager  
2 of those systems, no management reports. Any type of  
3 feedback on any order that's sent in goes back to  
4 that one particular agent that sent the order and as  
5 a manager, I have no access to that.

6 I have to go get that agent to look at  
7 this. So it is difficult for me to manage the  
8 service order process, find out what's in jeopardy,  
9 what's delayed, because there is no centralized  
10 reporting system for that at this time.

11 The other issue on ordering is the lack of  
12 flow through capability. Without the flow through  
13 capability, which means you have manual intervention,  
14 all of these interface systems whether they are GUI,  
15 whether they are EIF or whether they are EDI are  
16 "fancy E-mail systems." Essentially someone either  
17 receives a fax or they receive an E-mail and they  
18 have to wheel around and type it into the system  
19 again.

20 There has been some progress. I guess they  
21 entered some testing with four, seven or eight  
22 service order types to begin this flow through  
23 process, but with the EDI format that we were working  
24 on, there were 39 service order types to find, and to

TAB H-10

## PANEL - KLEIN

436

1 date there are at most eight types of service orders  
2 with flow through capability.

3 Touching on as-specified, which was briefly  
4 discussed before, I'd just like to bring up four  
5 things: The fact that we do not have as-specified  
6 what it means to the competitive industry.

7 One, it forces costs upon the reseller and  
8 by that I mean costs in terms of I have to pay  
9 someone to go look up the customer's CSR, the  
10 customer service record. I have to pay seat time for  
11 that.

12 In addition, I have to pay the query  
13 charges that NYNEX has recently tariffed or attempted  
14 to tariff for the retrieval of CSRs. I have no  
15 option. Those costs are forced upon me.

16 It also forces Sprint and the other CLECs  
17 to mimic the NYNEX USOCs in their own system, so I  
18 have to mimic the products and services that NYNEX  
19 offers. I don't want to mimic the products and  
20 services that NYNEX offers. I want to provide my own  
21 products and services.

22 BY JUDGE LEE:

23 Q Do you want to enter some paragraph 10 to  
24 your affidavit? This seems like the point you have

TAB H-11

## PANEL - KLEIN

1 Q Craig Dingwall for Sprint. I have a few  
2 questions regarding stress testing. Has NYNEX  
3 performed stress testing for its OSS systems?

4 A (Miller) The predominant testing that NYNEX  
5 executes on its systems from going to operation were  
6 mainly, obviously, making sure they worked in a  
7 sequential manner, they worked together with the  
8 complicated systems they interface with and then, in  
9 addition to that, there had to be a guarantee there  
10 was not a disruption for the existing operations in  
11 place with the other test. That was a significant  
12 amount of the testing effort.

13 We then in fact conducted tests with a  
14 nominated resale company to ensure the end-to-end  
15 testing and resale was successful. In terms of  
16 stress testing per se, there was not stress testing  
17 methods put in place in terms of generating mass  
18 transactions and so on and forth to gather the  
19 results of that. That was not.

20 MR. KLEIN: I'm sorry, Mr. Dingwall, could  
21 we get an explanation as to what stress testing  
22 envisions?

23 A (Miller) I'm sorry, I thought you asked the  
24 question.

TAB H-12

## PANEL - KLEIN

443

1 BY MR. DINGWALL:

2 Q What does stress test means to as you  
3 understand?

4 A (Miller) Stress test means one would take a  
5 system and you would either take components of it or  
6 entire end-to-end system and subject it to very high  
7 volumes of traffic and understand what its strength  
8 and weakness points are.

9 Q For how many carriers has NYNEX  
10 stress-tested its systems?

11 A (Miller) I indicated there was no stress  
12 testing by that definition.

13 Q There were no carriers. That's for resale?

14 A (Miller) That's correct.

15 Q What about with respect to unbundled  
16 network elements?

17 A (Miller) That has not been found your  
18 HRUPBLGDed net element action. Basically the same  
19 place that was in place essentially.

20 Q Does NYNEX have any idea or estimate of the  
21 capacity of orders that can order, for example, 500  
22 orders for month for resale?

23 A (Miller) The capacity issue with regard to  
24 the STP-PLS consequently in very component, for

TAB H-13

## PANEL - REUBEN

1 feature availability at a particular location?

2 A (Miller) I don't have that information  
3 exactly. I can surmise that it is about the same  
4 order of magnitude.

5 Q And when a NYNEX or New York Tel retail  
6 representative is finished with a customer service  
7 order and hits an enter button, how soon does that go  
8 into the NYNEX ordering system?

9 A (Miller) That will enter the ordering  
10 system in the same kind of timeframe that I just  
11 mentioned in terms of a CSR. It will then undergo a  
12 series of checks that are automated by the system and  
13 at that point the rep does not get a confirmation  
14 back that the order has been accepted.

15 Q So at that point you say it goes through as  
16 many minutes to CLECs to make sure the order is  
17 satisfactory?

18 A (Miller) Yes.

19 Q And then it goes into these systems  
20 automatically and instantaneously; is that correct?

21 A (Miller) That's correct.

22 Q Do NYNEX retail representatives have the  
23 opportunity to identify a customer's bill telephone  
24 number by going to a working telephone number?

TAB H-14

## PANEL - REUBEN

1           A       (Miller) In many cases they do. They are  
2     able to do that. Of course, the relationship between  
3     billing telephone number and working telephone number  
4     can be one to many, and in--one of the reasons that  
5     we hadn't provided at this point in time that ability  
6     for a reseller to derive the same number was because  
7     of a concern about privacy. We've addressed that and  
8     we have a change in place that will provide that  
9     capability in the near future. I believe it is we  
10    have it in, subject to correction, I believe it is  
11    two months.

12           Q       Will that give the resale representative  
13    exactly the same information as a NYNEX retail  
14    representative and all the same capabilities to  
15    access a bill telephone number from a working  
16    telephone number?

17           A       (Miller) I'm not aware of any differences  
18    between those two.

19           Q       NYNEX has the ability to modify  
20    specifications for its EIF interface, does it not?

21           A       (Miller) Yes. It does.

22           Q       Has it not changed the EIF interface a  
23    number of times in the last six or eight months?

24           A       (Miller) When NYNEX defined the EIF