State of Michigan
John Engler, Governor

Department of Consumer & Industry Services
Kathleen M. Wilbur, Director

Public Service Commission

6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909-7721
517-334-6445

Commissioners

John G. Strand
John C. Shea
David A. Svanda

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June 9, 1997

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Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

Subject: CC Docket 97-137

To Whom It May Concern:

As authorized by the Michigan Public Service Commission, enclosed herein are the original and eleven copies of its comments in CC Docket 97-137, Ameritech Michigan's Application pursuant to Section 271 of the Telecommunications Act of 1996.

Sincerely,

Dorothy Wideman
Executive Secretary

Attachments

cc: Department of Justice
ITS, Inc.

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MICHIGAN PUBLIC SERVICE COMMISSION
Department of Consumer and Industry Services

INTEROFFICE COMMUNICATION

TO: Chairman Strand
Commissioner Shea
Commissioner Svanda

DATE: June 5, 1997

FROM: Bruce Maughan, Director BRM
Regulatory Affairs

SUBJECT: Ameritech Michigan's Section 271 application.

On May 21, 1997, Ameritech Michigan filed an application with the Federal Communications Commission (FCC) for authority to provide in-region interLATA service, pursuant to Section 271 of the federal Telecommunications Act of 1996, 47 USC 271. Subsection (d)(2)(B) requires the FCC to consult with this Commission to verify Ameritech Michigan's compliance with the requirements of subsection (c). To accomplish the consultation required by the Telecommunications Act of 1996, the Regulatory Affairs Division recommends that the Commission adopt the following minute:

> Adopt and issue minute dated June 9, 1997, directing the Commission's Executive Secretary to transmit to the Federal Communications Commission the Michigan Public Service Commission's Comments on Ameritech Michigan's Section 271 application, CC Docket No. 97-137.

Approved by:

MICHIGAN PUBLIC SERVICE COMMISSION

John G. Strand, Chairman

John C. Shea, Commissioner

Dorothy Wideman, Executive Secretary

David A. Svanda, Commissioner

Dated: June 9, 1997

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of the Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region InterLATA Services in Michigan	)	CC Docket No. 97-137

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CONSULTATION OF THE MICHIGAN PUBLIC SERVICE COMMISSION

JUNE 9, 1997

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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of the Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, to Provide In-Region InterLATA Services in Michigan	)	CC Docket No. 97-137

CONSULTATION OF THE MICHIGAN PUBLIC SERVICE COMMISSION

I. Introduction

On January 2, 1997, Ameritech Michigan (Ameritech) filed with the Federal Communications Commission (FCC) its initial application to provide in-region interLATA services in Michigan (initial Section 271 Application) pursuant to Section 271(d) of the Telecommunications Act of 1996 (the Act).[1] A supplemental filing was submitted by Ameritech on January 17, 1997. In response to a February 11, 1997 letter from Ameritech, the FCC dismissed this initial application without prejudice.[2]

On May 21, 1997, Ameritech filed with the FCC its second application to provide in-region interLATA services in Michigan (Application) which is the subject of this proceeding.

Section 271(d)(2)(B) of the Act provides the following:

[1]This application was docketed by the FCC as CC Docket No. 97-1.

[2]February 12, 1997 FCC Order in CC Docket No. 97-1.

> CONSULTATION WITH STATE COMMISSIONS. - Before making any determination under this subsection, the Commission shall consult with the State commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

The Michigan Public Service Commission (MPSC) submitted comments on Ameritech's initial Section 271 Application on February 5, 1997 (February 5, 1997 Comments). Those comments are attached hereto as Attachment 1 and constituted the conclusions of the Commission based on Ameritech's initial Section 271 Application and the record established in Michigan Case No. U-11104[3] as of the date the comments were filed.

Additional and updated information has now been included in Ameritech's Application and further filings have also been made in Michigan Case No. U-11104.[4] Therefore, as requested by the FCC's May 21, 1997 Public Notice, the MPSC herein submits its comments on Ameritech's Application. Its comments on the Application will update comments filed as Attachment 1 and, where appropriate, elaborate on or amend conclusions reached in early February to reflect information that has now become available.

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[3]This docket was established by the MPSC on June 5, 1996 to receive information relative to Ameritech's compliance with Section 271(c) of the Act. Copies of all information filed in that docket as of May 21, 1997 are contained in Volume 4 of Ameritech's Application.

[4]Submissions filed in Michigan Case No. U-11104 between May 21, 1997 and June 5, 1997 are included herein as Attachment 2 (Docket #s 134-162).

II. Interconnection Requirements Under Track A of the Act

Ameritech asserts that is has met all of the requirements of Section 271(c)(1)(A) of the Act. This is the so-called Track A alternative.[5] It relies upon its interconnection agreements with Brooks Fiber Communications of Michigan, Inc. (Brooks), MFS Intelenet of Michigan, Inc. (MFS), and TCG Detroit (TCG) for satisfaction of these requirements of the Act. The conditions set forth in Section 271(c)(1)(A) are discussed separately below.

A. Interconnection Agreements.

Section 271(c)(1)(A) requires Ameritech to have entered into one or more binding agreements that have been approved under Section 252. Ameritech is a party to eighteen interconnection agreements filed with the MPSC. Thirteen involved negotiated agreements and five included issues to be arbitrated. Of the thirteen negotiated agreements, six have been approved by order of a majority of the MPSC. Ameritech submitted five of these six approved agreements with its Application, including agreements with MFS, Brooks, USN Communications (USN), WinStar Wireless (WinStar), and AirTouch Cellular (AirTouch).[6]

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[5]On June 5, 1997, the MPSC rejected Ameritech's statement of generally available terms and conditions for interconnection, which could be utilized in a so-called Track B application for interLATA relief under Section 271(c)(1)(B) of the Act. The MPSC found that if competitive providers have requested interconnection with the Bell operating company in a timely manner (the Track A alternative), the Track B option is not available. As noted in the MPSC Order, this is a conclusion which is shared by the United States Department of Justice. See Attachment 2 for a copy of this Order issued in Case No. U-11104 (Docket #161).

[6]These five interconnection agreements along with the MPSC Orders approving the agreements are contained in Volume 1 of Ameritech's Application. On June 5, 1997 in Case No. U-11326, the MPSC also approved the negotiated interconnection agreement between

The remaining seven negotiated agreements have been submitted to the MPSC and are awaiting review and approval.[7]

Of the five agreements which contained issues to be arbitrated, three have now resulted in signed and MPSC-approved interconnection agreements which Ameritech submitted with its Application. These agreements are with TCG, AT&T Communications of Michigan, Inc. (AT&T), and Sprint Communications, L.P. (Sprint).[8] An arbitration decision has been rendered by the MPSC in a fourth case between Ameritech and MCI Telecommunications Corporation (MCI). However, an executed agreement has not yet been submitted for approval of the MPSC. In the final case, between Ameritech and Climax Telephone Company, the Decision of the Arbitration Panel was rendered on May 21, 1997 and a MPSC Order is expected before July 1, 1997.

Ameritech and BRE Communications, L.L.C. However, Ameritech has not relied on this agreement in its Application. A copy of the MPSC's order is included herein as Attachment 3.

[7]The pending negotiated interconnection agreements include those between Ameritech and 360° Communications Company (Case No. U-11356, submitted April 2, 1997), Coast to Coast Telecommunications, Inc. (Case No. U-11375, submitted April 30, 1997), Century Cellunet (Case No. U-11403, submitted May 9, 1997), Ameritech Mobile Communications, Inc. (Case No. U-11399, submitted May 7, 1997), Trillium Cellular (Case No. U-11400, submitted May 9, 1997), Brooks Fiber Communications of Michigan, Inc. (Case No. U-11354, submitted April 23, 1997 as an amendment to the already existing interconnection agreement between these parties), and Nextel West Corp. (Case No. U-11416, submitted May 30, 1997).

[8]These three signed agreements as well as the MPSC arbitration decisions and the MPSC Orders approving the agreements are also included in Volume 1 of Ameritech's Application.

In summary, Ameritech relies upon two negotiated interconnection agreements (with Brooks and MFS) and one arbitrated interconnection agreement (with TCG) for satisfaction of its Section 271(c)(1)(A) requirements under the Act. In addition to these three, Ameritech has included five other interconnection agreements with its Application. All eight have been signed by the parties and approved by the MPSC. Five of the eight were negotiated and therefore the interconnection requirements of Section 251 of the Act, the pricing requirements of Section 252 of the Act, and the FCC Rules interpreting those sections were not applied to them. The remaining three agreements were subject to arbitration. The requirements of Sections 251 and 252 of the Act as well as the FCC Rules interpreting those sections were utilized to arbitrate disputes in those cases.

B. Ameritech's Provision of Service Under the Terms of Interconnection Agreements

Section 271(c)(1)(A) of the Act provides that the approved interconnection agreements must specify the terms and conditions under which Ameritech is providing access and interconnection to its network facilities. In its February 5, 1997 Comments, the MPSC noted that despite the existence of approved and executed interconnection agreements, Ameritech had indicated that it provided interconnection with competitors pursuant to tariffs rather than to the interconnection agreements.[9] Ameritech has clarified that subsequent to the execution of interconnection agreements with Brooks, MFS, and TCG, these providers now

[9]Attachment 1, p. 7.

interconnect pursuant to their agreements rather than tariff.[10]

The rates, terms, and conditions of the Brooks, MFS, and TCG interconnection agreements were arrived at almost completely through negotiation rather than arbitration.[11] However, Ameritech asserts that Brooks, MFS, and TCG also have available to them, pursuant to the "most favored nation" (MFN) clauses in their respective agreements, checklist items contained in the AT&T and Sprint interconnection agreements, many of which were arbitrated by the MPSC and determined to comply with the requirements of Sections 251 and 252(d) of the Act.[12] In its February 5, 1997 Comments, the MPSC noted that the application of the MFN clauses in the Brooks, MFS, and TCG interconnection agreements appeared to be problematic in that it appeared to permit providers to adopt provisions in other providers contracts only as a whole. That is, if the rates, terms and conditions of one unbundled network element were to be adopted from another provider's agreement, all must be adopted.[13]

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[10]Ameritech's March 27, 1997 Submission of Additional Information in MPSC Case No. U-11104, pp. 14-15.

[11]Although the MFS and Brooks agreements were totally negotiated, three disputed items in the TCG agreement were arbitrated by the MPSC.

[12]Ameritech's Brief in Support of Application, p. 16.

[13]Attachment 1, pp. 9-10.

In letters to each provider, Ameritech has attempted to clarify (but did not modify) the contract language contained in those agreements.[14] However, in a May 8, 1997 filing with the MPSC, TCG delineated difficulties encountered in invoking the MFN clause of its contract.[15] Ameritech further clarified its position on the use of the MFN clause in a May 14, 1997 filing with the MPSC.[16] Ameritech now represents that providers may opt to adopt the rates, terms and conditions of a single contract element rather than adoption of only contract sections as a whole. In addition Ameritech has indicated that MPSC approval will not be sought each time a provider invokes its MFN clause as Ameritech had originally proposed. However, it will require that both parties sign an amendment to the existing interconnection agreement to reflect the rates, terms and conditions which will be adopted. The effective date of the change will be upon execution by both parties of the amendment to the interconnection agreement. TCG has not raised any remaining dispute on this issue with the MPSC since Ameritech's May 14, 1997 filing. Since Ameritech relies upon use of the MFN clauses of its interconnection agreements for satisfaction of checklist requirements, however, application of these clauses will continue to be closely monitored, consistent with the Act and the Michigan Telecommunications Act (MTA).[17]

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[14]Ameritech's Application, Affidavit of Theodore A. Edwards, Schedule 3.

[15]TCG's May 8, 1997 Submittal of Supplemental Information in MPSC Case No. U-11104.

[16]Ameritech's May 14, 1997 Response to TCG Detroit in MPSC Case No. U-11104.

[17]MCL 484.2101 et seq.; MSA 22.1469 (101) et seq.

In its February 5, 1997 Comments, the MPSC discussed procedures utilized to determine prices incorporated in Ameritech's interconnection agreements.[18] Prices included in interconnection agreements are basically of three types. First, interim prices were established by the MPSC for certain services in compliance with the requirements of Section 252(d) of the Act and the MTA during arbitration proceedings. Services included in this category are, for example, basic loop and basic port rates established in AT&T's arbitration proceeding. In many cases, these interim prices will be replaced by those determined appropriate in a costing and pricing proceeding ongoing at the MPSC at this time.[19] A second set of prices specified in some interconnection agreements were negotiated rather than arbitrated but will also be replaced by prices established in the MPSC's ongoing costing and pricing proceeding. Therefore, although the pricing requirements of the Act and the MTA were not originally applied to these services, they are now being applied in the MPSC's ongoing proceeding. Services included in this category are, for example, non-basic loops and ports. Finally, prices for some other services included in Ameritech's interconnection agreements were not arbitrated (including the application of Section 252(d) pricing criteria from the Act) and are not at issue in the MPSC's ongoing pricing proceeding. Prices for these services were merely negotiated by the parties or will be determined at some future date. Services included in this category are, for example, 9-1-1 prices and pole, duct and

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[18]Attachment 1, pp. 10-13.

[19]This proceeding has been docketed as Case No. U-11280 and was initiated by the MPSC on December 12, 1996.

right-of-way access prices. The proceedings in the MPSC cost and pricing docket have concluded and the record is before the MPSC for final decision.

C. Interconnection Agreements Are with Competing, Unaffiliated Providers.

Pursuant to the MTA the MPSC has now authorized twenty-four applicants to provide basic local exchange service in some or all of Ameritech's licensed service territory. Four other applications are now pending. Of the twenty-four licensed providers, nine have filed tariffs with the MPSC further indicating readiness to provide service. Five of the nine[20] also have approved interconnection agreements in place.[21] The interconnection agreement with a sixth, MCI, has been arbitrated but, as indicated earlier, a signed agreement has not as yet been filed with the MPSC for approval. MCI has begun operations in Michigan apparently pursuant to Ameritech's tariffs rather than an approved interconnection agreement. This is also the case for LCI International Telecom, Inc. (LCI), a licensed and tariffed provider of local service in Michigan that resells services pursuant to Ameritech's resale tariff. No interconnection agreement between these parties has been filed with the MPSC.

Ameritech has relied upon its interconnection agreements with Brooks, MFS, and TCG for satisfaction of this part of the Section 271(c)(1)(A) requirements of the Act. These

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[20]AT&T, Brooks, MFS, TCG and USN.

[21]Interconnection agreements have also been approved for Sprint and WinStar Wireless but these providers have not as yet filed local tariffs. The eighth interconnection agreement filed by Ameritech with its Application is with AirTouch Cellular. Cellular providers are not required to be licensed by the MPSC to provide cellular service.

three providers are unaffiliated with Ameritech, have been licensed by the MPSC pursuant to the MTA to provider basic local exchange service in some or all parts of Ameritech's licensed service area, have filed local tariffs with the MPSC and are providing local service to customers in Michigan.

D. Competitor(s) Serve Residential and Business Subscribers.

Of the three providers on which Ameritech relies to satisfy the requirements of Section 271(c)(1)(A), Brooks provides service to both residential and business subscribers. According to Ameritech, at the end of the first quarter of 1997, Brooks served 14,492 business lines and 5,805 residential lines in the Grand Rapids area of Michigan.[22] MFS and TCG apparently serve only business customers in Michigan at this time.

E. Provision of Local Service over Competitors' Facilities.

Considerable controversy continues to exist over this requirement of the Act.[23] In particular Brooks disputes any reference to use of unbundled network elements as fulfillment of the facilities-based requirements of Section 271(c)(1)(A) of the Act. Brooks indicates that 75% of its customers are served through unbundled loops. The MPSC is not convinced that

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[22]Ameritech's Application, Joint Affidavit of Robert G. Harris and David J. Teece, p. 50.

[23]Brooks' March 7, 1997 Motion for Reconsideration, pp. 6-10; Brooks' April 15, 1997 Submission of Additional Information, p. 2; Ameritech's March 28, 1997 Answer to Brooks' Motion, pp. 4-11 in MPSC Case No. U-11104.

its position on this issue as delineated in its February 5, 1997 Comments[24] should be amended. The MPSC continues to believe that a reasonable interpretation of the Act is that use of unbundled loops or ports would not constitute resale within the meaning of Section 271(c)(1)(A) and therefore constitutes facilities-based services. In addition, although MFS and TCG serve only business customers, all or the vast majority of those customers are served exclusively through the facilities of those providers.

In summary, the MPSC believes that Ameritech complies with the requirements of Section 271(c)(1)(A) of the Act.

III. Checklist Requirements

Under Section 271(c)(2), access and interconnection provided by Ameritech under Track A must comply with each of the fourteen checklist requirements delineated in the Act. Each checklist item will be discussed separately below, with any updates, amendments or additional information to the MPSC's February 5, 1997 Comments delineated.

A. Checklist Item (i)
Interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1).

As discussed in its February 5, 1997 Comments, the MPSC believes that Ameritech

[24]Attachment 1, pp. 14-18.

appears to comply with this checklist element.[25] It provides interconnection and collocation to Brooks, MFS, and TCG. As discussed earlier,[26] Ameritech has clarified that subsequent to the execution of interconnection agreements with Brooks, MFS, and TCG, these providers now interconnect pursuant to their agreements rather than to tariff.

Brooks believes that Ameritech does not comply with this item of the checklist because Brooks has experienced network blockage "due to Ameritech's inadequate monitoring of its trunks to Brooks."[27] In its response, Ameritech indicates that part of the blame for the blockage was due to cable cuts, equipment failures, and the inability to obtain accurate forecasts from Brooks.[28] This issue underscores the importance of the development of adequate benchmarks on which performance can be judged as well as a clear definition of the recourse to pursue if performance is deficient. A detailed discussion of this issue is contained below in the following section.

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[25]Attachment 1, pp. 18-21.

[26]See Section II., B. of these Comments.

[27]Brooks April 15, 1997 Response to Ameritech Michigan's Submission of Additional Information in MPSC Case No. U-11104, p. 3.

[28]Ameritech's May 9, 1997 Submission of Information in Response to Brooks Fiber in MPSC Case No. U-11104, pp. 8-10.

B. Checklist Item (ii)
Nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1).

As discussed in the MPSC's February 5, 1997 Comments, five of the seven unbundled network elements which Ameritech must provide to comply with this checklist item are discussed separately under other checklist requirements. The availability of a sixth unbundled network element, the network interface device (NID), has not been disputed and the MPSC continues to believe that Ameritech offers this element in compliance with the requirements of the Act and FCC orders.

Nondiscriminatory access to network elements including Operations Support Systems.

Much more controversial, however, has been the issue of nondiscriminatory access to required network elements and in particular the provision by Ameritech of required Operations Support Systems (OSS). The FCC has required Ameritech and all other incumbent Local Exchange Carriers (LECs) to "provide nondiscriminatory access to their operations support systems functions for pre-ordering, ordering, provisioning, maintenance and repair, and billing available to the LEC itself."[29] The FCC required compliance with electronic OSS requirements no later than January 1, 1997.[30] At the time of its original Section 271 filing on January 2, 1997, Ameritech contended that it had complied with the

[29]FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶523.

[30]47 C.F.R. 51.319(f)(2).

FCC's requirement that access to OSS systems be provided by January 1. Little experience had been garnered with much of Ameritech's OSS at the time of Ameritech's original application. Many providers have now had an opportunity to utilize Ameritech's OSS, and this activity now provides considerable information on this issue. In addition, the MPSC conducted a one day informational hearing on May 28, 1997 at which time Ameritech and users of its OSS systems were invited to present the most current experience with these systems.[31] Representatives from Ameritech, AT&T, MCI, USN, LCI and Brooks made presentations at this hearing. Although invited, MFS and TCG declined to participate.

Based on this additional information, the MPSC now offers this assessment on the issues of nondiscriminatory access to network elements including OSS.

Availability of OSS.

The FCC requires that "an incumbent LEC must, at a minimum, establish and make known to requesting carriers the interface design specifications that the incumbent LEC will use to provide access to OSS functions."[32] Ameritech represents that user specifications were originally published for the first of the five required electronic interfaces in February 1995 (the interface utilized in the ordering and provisioning of certain unbundled network elements) and the last in October 1996 (the pre-ordering interface). After internal testing,

[31]A transcript of this hearing is contained with the recent filings in MPSC Case No. U-11104 in Attachment 2, Docket #154.

[32]FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

the last of the interfaces became available for use in December 1996.[33] Some subfunctions of the five interfaces continue to be available only in non-electronic formats.[34] However, the FCC has required electronic formats only where the equivalent access for use with Ameritech's retail customers is also in electronic format.[35] Bellcore has confirmed that, for the most part, Ameritech's specifications accurately reflect industry guidelines for service ordering, provisioning, repair and maintenance, resale usage, and billing.[36] In the case of the ordering and provisioning interface utilized for the purchase of unbundled loops and certain other unbundled elements, Bellcore has noted that the Access Service Request (ASR) specifications utilized by Ameritech were developed prior to the December 1996 publication of current industry guidelines for this set of interfaces. Bellcore recommends that Ameritech review its specifications against these guidelines "to establish a migration path."[37] Ameritech has committed to migrate to an Electronic Data Interchange (EDI) interface for ordering

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[33]Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, p. 3. Attachment 2, Docket #151. See also Ameritech's Application, Affidavit of Joseph A. Rogers, Schedule 1.

[34]E.g., the feature availability and address validation subfunctions of the pre-ordering interface are provided via periodic file transfer.

[35]FCC's August 8, 1996 First Report and Order in CC Docket 96-98, ¶523.

[36]Ameritech's Application, Affidavit of Joseph A. Rogers, Schedule 2.

[37]Ameritech's Application, April 3, 1997 Bellcore letter included in Schedule 3 of the Affidavit of Joseph A. Rogers.

unbundled loops no later than January 1, 1998.[38] This appears to be reasonable in light of the FCC's determination that it would not condition the requirements to provide access to OSS functions on creation of national standards.[39] Ameritech therefore began the development and use of this ASR interface prior to the issuance of industry guidelines.

Ameritech has also indicated that in addition to technical specifications, it "provides requesting carriers with comprehensive ordering guides for unbundled network elements ('UNEs') and resale services."[40] Several parties have indicated that the availability of this eight volume ordering guide has been problematic.[41] Ameritech represents these manuals are available on Ameritech's Internet website to carriers that have signed a confidentiality agreement.[42] Although Ameritech has indicated that these user guides go beyond the required provisioning of the interface specifications themselves, it has also indicated that this is the only place where all the required specifications are pulled together at one reference

[38]Ameritech Application, Affidavit of Joseph A. Rogers, p. 7.

[39]FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

[40]Ameritech's Application, Affidavit of Joseph A. Rogers, p. 8.

[41]MCI indicated it only received copies of the ordering guide manuals in April 1997 and then only because it was party to an Illinois Commerce Commission proceeding. Brooks indicated that it had not received copies of these manuals at all. May 28, 1997 transcript of Michigan OSS hearing in Case No. U-11104, p. 140, 177. Attachment 2, Docket #154.

[42]Ameritech's Application, Affidavit of Joseph A. Rogers, p. 8.

point.[43] According to the FCC, the obligation to provide access to Ameritech's OSS, including the means to provide access, arises upon the request for OSS pursuant to Section 251(c)(3) of the Act.[44] Given such requests, however, provisioning of the user guides appears to be a reasonable interpretation of the requirements under the Act.

Use of Ameritech's OSS in Michigan.

As discussed above, in some cases the interfaces utilized by resellers differ from those utilized to order and provision certain unbundled network elements. Far more of the functions and subfunctions of Ameritech's interfaces are currently being utilized by resellers than by purchasers of unbundled loops. Even resellers, however, have only begun to utilize many portions of Ameritech's OSS in Michigan.

Of the three subfunctions of the electronic pre-ordering interface, only one is in use in Michigan today: the customer service record retrieval capability. This subfunction has been utilized by USN, a reseller, since March 1997. The telephone number selection and the due date negotiation subfunctions of this interface are not currently in use either in Michigan or anywhere in Ameritech's region by any provider. The remaining two subfunctions of the pre-ordering interface, determination of feature availability and address validation, are not provided electronically but rather through periodic file transfers and are utilized by a number of carriers today in Michigan.

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[43]Ameritech's response in May 28, 1997 transcript of Michigan OSS hearing in Case No. U-11104, p. 200. Attachment 2, Docket #154.

[44]FCC's December 13, 1996 Second Order on Reconsideration in CC Docket 96-98, ¶8.

The EDI ordering interface and the firm order commitment and order completion subfunctions of the provisioning interface have been utilized by both AT&T and USN for their resale operations in Michigan since March 1997. The order jeopardy subfunction of the provisioning interface has been utilized by USN in Michigan since late April 1997. Although the EDI interface can also be utilized to purchase and provision interim number portability as well as resold services, it is not utilized by any provider in Michigan for this purpose as yet.

The ASR interface is utilized for the ordering and provisioning of unbundled loops, end office integration trunks, unbundled interoffice transmission facilities and other transport-based network elements. However, the order completion and order jeopardy subfunctions of the provisioning interface are not available with the ASR interface. Only the firm order commitment subfunction of provisioning is available with this interface. It has been utilized in Michigan by Brooks and MFS since 1995.

The maintenance and repair electronic interface, T1M1, is not utilized by any provider in Michigan at this time nor by any provider in the Ameritech region. Providers are utilizing a manual interface for repair and maintenance functions.

In regard to billing, resellers in Michigan are utilizing the electronic Exchange Message Record (EMR), a daily usage interface. Specifically, AT&T, Brooks, MCI, USN and MFS have utilized this Ameritech interface but may not all be using it in Michigan. The Ameritech Electronic Billing System (AEBS) is the interface utilized for monthly resale billing and is utilized by AT&T, MCI, MFS and USN. The Carrier Access Billing System

(CABS) interface for billing relative to unbundled network elements has been used since May 1995 in the Ameritech region by Brooks and MFS.

Michigan volumes for the pre-ordering, ordering and provisioning interfaces since the beginning of 1997 were submitted by Ameritech during the May 28, 1997 MPSC hearing on OSS.[45] Of the electronic interfaces offered by Ameritech, all but the maintenance and repair interface are utilized by resellers in Michigan today. In regard to electronic interfaces utilized by purchasers of unbundled loops only the ordering interface, the customer record subfunction of the provisioning interface and the CABS billing interface are utilized.

There has been much discussion regarding why certain interfaces have not as yet been utilized by providers. First, some interfaces are very costly given low volumes of usage. Ameritech has committed to the development of a less costly maintenance and repair interface to make an electronic interface more economically viable for a low volume provider.[46] Second, not all functions are available through some interfaces as compared with others. Until the migration of the ordering and provisioning interface to an EDI standard, purchasers of unbundled loops are required to utilize an ASR interface for the purchase of loops and an EDI interface for pre-ordering functions and the ordering and provisioning of interim number portability if electronic interfaces are desired. Third, some subfunctions of some interfaces are just not needed in some business operations. For example, the telephone

[45]Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, Schedule 1. Attachment 2, Docket #151.

[46]Ameritech's Application, Affidavit of Joseph A. Rogers, p. 43.

number selection subfunction is not needed by a purchaser of unbundled loops because such a provider is either continuing to use the customer's existing telephone number through interim number portability or is providing a new telephone number of its own. Ameritech believes lack of use of certain interfaces is "due solely to the fact that other carriers have yet to request them."[47]

As stated above, the FCC has determined that the requirement to provision electronic interfaces is subject to a request to use such interfaces pursuant to Section 251(c)(3) of the Act. This will be based fundamentally on when a provider decides to go into business and when it determines that a particular electronic interface is an economic alternative given volumes of business and other considerations.[48] The MPSC also agrees, however, that the need for unbundled loop purchasers to utilize both an ASR and EDI interface for access to certain of the electronic interface functions and subfunctions is problematic. However, the fact that industry guidelines were not complete on this matter to ensure availability by the January 1, 1997 FCC's imposed deadline appears to allow Ameritech the alternative it has chosen. Ameritech has committed to migration to the industry standard no later than the end of this calendar year. Thus, problems inherent in the ASR interface will diminish.

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[47]Ameritech's May 28, 1997 Response to the Commission's Questions Regarding OSS in MPSC Case No. U-11104, p. 8. Attachment 2, Docket #154.

[48]This economic decision, however, may be greatly affected by Ameritech's filed intent to withdraw its manual interfaces altogether from providers placing more than 1,250 orders per day and to withdraw the manual ordering alternative as an option following 12 months of billing for each carrier, requiring the use of electronic interfaces instead. See Ameritech's Tariff included herein as Attachment 4.