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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of: Implementation of the Local Competition Provisions in the Telecommunications Act of 1996	CC Docket No. 96-98 RM-9101

US ONE Communications Corporation Comments In
Support of the Petition for Expedited Rulemaking By
LCI International Telecom Corp. and Competitive Telecommunications Association

US ONE Communications Corporation, a competitive local exchange carrier (CLEC), hereby expresses its strong support for the Petition for Expedited Rulemaking by LCI International Telecom Corp and Competitive Telecommunications Association dated May 30, 1997 (hereinafter, "LCI Petition").

Non-discriminatory ordering, provisioning, and billing of unbundled elements on a completely automated basis is key to having any meaningful competition in the local exchange markets. Automated interactive interfaces between OSS systems (aka, "electronic bonding") are very complex, but nonetheless critical to providing local services on par with that which should be expected of the incumbent local exchange carrier ("ILEC"). No CLEC can make a serious effort to compete with an ILEC without having automated ordering, provisioning and billing systems whose overall performance (including the performance of ILEC's systems with which the CLEC's system must interact) is at least as good as that of the ILEC for every step

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of the ordering, provisioning, and billing processes. For example, this equality between ILEC and CLEC processes must hold for each of the dozens of queries and realtime responses that must occur between the CLEC's systems and the ILEC's systems for unbundled elements while the CLEC's personnel is taking an order on the telephone. Just as such realtime interaction already exists between the order taking facility of the ILEC "front end" and the ILEC's OSS legacy systems to allow the ILEC to process an order while on the telephone, the CLECs must have the same capability when establishing an order using the unbundled elements of the ILEC. The equality must exist in terms of both depth, breadth, and performance -- in order for the CLEC to have the opportunity to meaningfully compete with the ILEC.

Without non-discriminatory ordering, provisioning and billing interactions, the incumbent local exchange players will present virtually insurmountable barriers to entry for all competitors because every local exchange entrant must depend on the incumbent for one or more critical elements provided by the incumbent local exchange carrier. For example, even those CLECs who provide their own local loops must depend upon the incumbent local exchange carrier for ordering, provisioning, and billing associated with the disconnection and/or re-connection of ILEC services to ILEC end users and the multitude of trunks for interconnection between their networks.

The LCI Petition properly seeks FCC aid in establishing national standards for performance in the ILEC's delivery of unbundled elements and resale to their

customers. However, the "*separate-but-equal*" approach to these critical functions, which the ILECs have pursued thus far, is inherently flawed. National standards, or even ILEC-specific standards, will not be able to capture the depth and breadth required to assure conformance with the non-discrimination provisions of the Act. Thus, a key element of US ONE's proposed improvements to the LCI Petition is that the ILEC be required to flow all of their ordering, provisioning, and billing interactions with the legacy systems through, and in the same manner, the same standard OSS interface gateways that the ILEC proposes for use with CLEC ordering, provisioning, and billing operations. Not only will this reduce the incentive to discriminate, it will also address the "scalability" problem because the ILEC gateways will have to be scaled to accommodate both the ILEC's and CLEC's demanded volumes.

In these comments on the LCI Petition, US ONE proposes that the FCC issue a petition for rulemaking addressing issues that attack the core of valid concerns raised by the LCI Petition. These issues are:

a) Should there be national standards? Are there any alternatives to national standards? How should the Commission promote the development of such a standard?

b) What should be the scope of those standards with regard to:

i) performance
ii) systems interfaces and physical linkages
iii) data elements and record exchange for intercompany OSS transactions

c) What structural requirements should be imposed to assure non-discrimination? Is "separate but equal" in conformance with the Act?

Is there a way of using structural requirements to eliminate the need for the FCC to set detailed standards for record exchange, system interfaces, and performance.

For example, should the ILEC be required to submit their orders through the same OSS interfaces, in the form of orders for unbundled elements, to assure non-discriminatory access to the legacy OSS systems?

Below, each of these issues is discussed in greater detail and, where US ONE has developed a position on that issue, a proposed resolution is included.

Issue 1: Should there be national standards? Are there any alternatives to national standards? How should the Commission promote the development of such a standard?

US ONE supports a requirement that all ILECs conform with national standards to reduce barriers to entry and assure uniformity across the nation, and that the timely adoption of such standards be advanced through FCC-sponsored meetings, as was done in the implementation of 888 service when the supply of 800 numbers were becoming exhausted.

An FCC requirement for compliance with national standards is necessary to promote the Telecommunications Reform Act's objective to minimize barriers to entry into the local market for new entrants. The objective of eliminating barriers to entry to promote economic efficiency is not only the theme of Sections 251 and 252 of the Communications Act, it is specifically restated in Sections 257 (Market Entry Barriers Proceeding), 259 (Infrastructure Sharing), and 1 ("rapid, efficient, Nation-wide, and world-wide wire and radio communication service").

The complexity of the interaction between CLECs and ILECs for the

preordering, ordering, provisioning, maintenance, repair, and billing is significantly greater than the complexity of the interactions between IXCs and ILECs, today. The costs of a CLEC's OSS systems (which are in the millions of dollars per basic installation) will substantially increase with each new set of interfaces and performance standards that such CLEC systems must work. Thus, if each ILEC (including each of the 1,000+ independent telephone companies) develops its own set of OSS interfaces and performance standards, those ILECs will have erected a substantial barrier to entry for smaller carriers in each of their local markets. Therefore, each ILEC will have (and has thus far) deviated from a national standard and, in turn, employed such deviation as a strategic tool to impede entry in that ILEC's local market.

National standards will make entry into each new ILEC market substantially less costly than it is today. Such standards will allow the CLEC's OSS systems to be designed with reasonable anticipation that each ILEC will perform and interface in a standard way. National standards will also help reduce disputes over what is "discriminatory" and what is not. Today, interconnection agreements either fail to define what constitutes discrimination or contain criteria that differ from agreement to agreement with each ILEC, and from ILEC to ILEC.

The development of national standards will also promote the public interest by improving service to the public. For example, the ILEC's use different USOC codes for the identical features and services. As competition has begun to emerge, a host of provisioning errors have occurred over the definition of date elements.

National standards and consistent definition of data elements would mitigate these provisioning errors, and reduce OSS development costs, as well.

Even though the many ILEC's have custom legacy systems which must interact with the "hardware" of the ILEC's network, the solution topology of using standard gateways to interface to those legacy systems with the "front ends" of other systems (e.g., CLEC OSSs and ILEC front end systems) solves the problem. [As noted later on, non-discrimination also requires that the ILEC build front-end systems for processing ordering, provisioning, and billing for their own end users.] Such a "Interconnection Gateway Platform" is being considered by standards forums, such as the Network Management Forum (NMF), but apparently such standardization is meeting resistance from some companies. See, Exhibit 1. The Commission should specifically endorse such a topology and require that all ILECs conform with such a topology as a requirement for satisfying the Act.

The development and deployment of national standards is time critical. Today, CLECs cannot buy standardized software for interfacing with ILECs because the ILECs have neither agreed to, nor conformed to, a national standard. To the extent technical and performance standards cannot be developed by the Commission in this proceeding, the Commission should host an industry monitoring forum. At the meeting of the forum, industry members would report the progress that is being made by the various industry standards forums and by each ILEC in its efforts to conform (or failure to conform) to those national standards. This use of an ongoing FCC forum as a catalyst in moving the industry along in developing national

standards and their deployment should be modeled after the industry meetings that the FCC's Common Carrier Bureau hosted in Washington DC for the development and deployment of 888 toll free services, as 800 number supplies were being exhausted. See, Various Public Notices Regarding FCC Sponsored 888 Meetings, CC Docket No. 95-166.

Issue 2: **What should be the scope of those standards with regard to:**

i) performance?
ii) system interface and physical linkages?
iii) data elements and record exchange for intercompany OSS transactions?

Although US ONE supports LCI's proposal for the adoption of standards of performance, the Commission must go one step further and require compliance with a national standard that encompasses a standard interface and physical linkages between OSS systems that will support non-discriminatory treatment of CLECs, including standard data elements and record exchange for intercompany OSS transactions.[1] It is these standard system interfaces and physical linkages, along with standardized data elements that are critical to acceptable performance.

Additionally, the Commission should push for standards of performance that are the same, across the board. Thus, the provisioning of a local service via an unbundled loop should not be subject to different performance standards from that of the ILEC's provision of its own services. The distinction that has been made

[1]The data elements should be at the most elemental level technically possible to allow the CLEC OSS system the maximum flexibility in interacting with the database of the ILEC.

between unbundled loop provisioning and resale provisioning is, from a forward looking point of view, a distinction with no difference. If the ILECs simply made the capital investment necessary to automate the cutover of local loops, the cutover of a loop to a CLEC (or from a CLEC back to the ILEC) would take no longer than it does for the ILEC to install service for its own local customers. Digital cross-connects as well as other equipment are used today in the automated provisioning of local loops for private line and special access circuits. Such equipment, or derivatives of such equipment, would allow the ILEC to perform remote cutovers of unbundled loops within a matter of minutes, without manual intervention, and at a fraction of the cost of making such cutovers using today's inefficient manual methods. In order to provide the incentive for the ILECs to use such forward looking technology, the Commission should impose forward looking maximum charges for installation of unbundled elements. Initially, such maximum charges should be set at parity with the installation charges of the ILEC for turning up a retail local customer on its local services.

In sum, the Commission should initiate a rulemaking to develop national standards for performance (as proposed in the LCI Petition), system interfaces and physical interfaces, standardized data elements, and maximum non-recurring charges for unbundled elements.

Issue 2: **What structural requirements should be imposed to assure non-discrimination? For example, should the ILEC be required to submit their orders through the same OSS interfaces to assure non-discriminatory access to the legacy OSS systems?**

No matter how exhaustive the FCC may be in defining its rules on standards for performance, interfaces and record exchange, such standards will neither completely (nor adequately) address the problems of discrimination. As long as the ILEC's end user's orders go down one system path, and the CLEC's go through additional system steps or different system paths, a strong incentive will exist for discriminatory treatment which is difficult to detect and correct.

The FCC learned of the deficiencies of such "separate but equal" arrangements in the early stages of competition when it attempted to promote competition in the terminal equipment market. See, e.g., Interstate and MTS Service, 59 FCC 2d 697 and 64 FCC 2d 1039, Telephone Equipment Registration, 66 FCC 2d 665, and Amendment of Section 68.2, 67 FCC 2d 235, regarding the development of the Part 68 rules and the effect of the subsequent uniform imposition of the identical requirements for interconnection on the Bell Companies' terminal equipment.

It is imperative that the ILEC not treat the CLEC's OSS interconnection for order/provisioning/billing process on a "separate but equal" basis, i.e., every ILEC transaction for providing services to their own customers should be required to flow through the same standard interface and physical linkages, and use the same data element and record exchanges for intercompany OSS transactions. Compare, Exhibits 2 and 3. By requiring that the ILEC depend on the same OSS gateways as

CLECs, the ILEC will have an incentive (rather than the current disincentive) to make the technical and performance characteristics robust enough and of high enough quality to support all processes and volumes of demand required for ordering, provisioning, and billing. If the ILECs must depend on the same gateways, it will suffer equally to that of the CLEC from any deficiencies in the design and implementation of the gateway and their level of interaction with the legacy systems,

In sum, the Commission should impose the requirement of a single ordering /provisioning/billing gateway for all ILEC and CLEC transactions, rather than the "separate-but-equal" approaches that the ILECs have taken to date.

* * *

For the reasons set forth herein, the Commission should issue a Notice of Proposed Rulemaking on the proposals of the LCI Petition and those contained herein.

Respectfully submitted,
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Carrier Interconnection

The Solution Topology

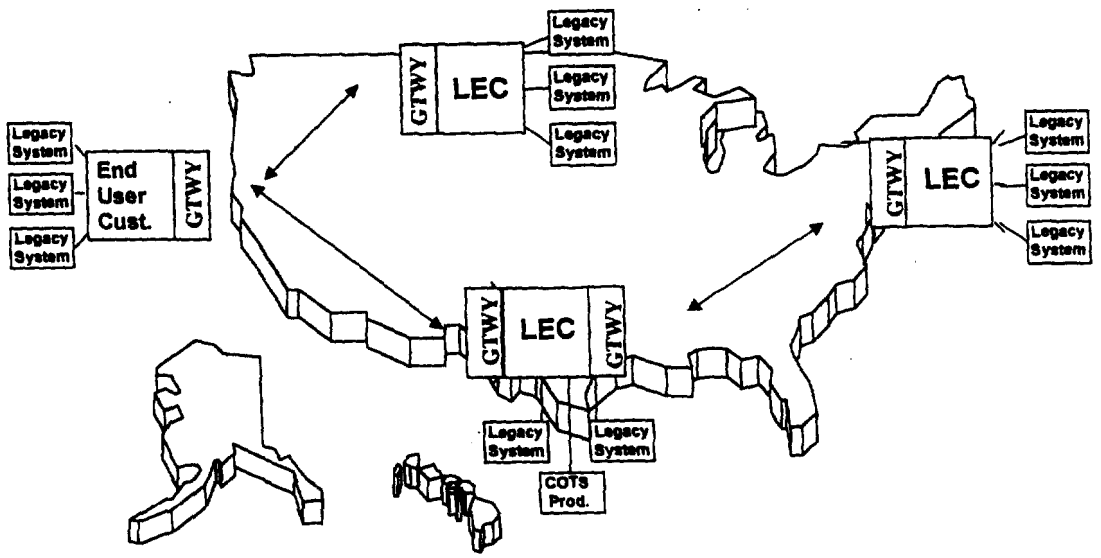

Exhibit 1: Standard Interconnection Gateway Topology; Source Kim Lewis, Network Management Forum (NMF, an International Consortium to Promote the Automation, Interoperability, and Integration of Intercompany Business Processes), Presented June 20, 1997 at the ICM Conference on Network and Service Management For Interconnection, Chicago, Illinois); "GTWY" is standard gateway.

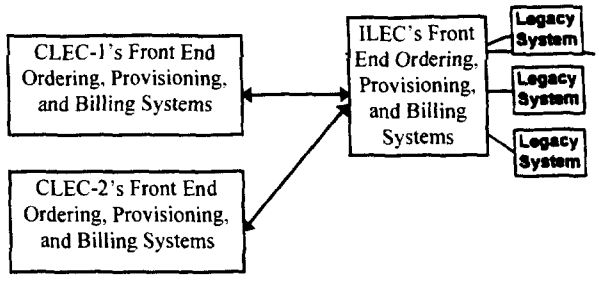

Exhibit 2: Today, Each ILEC Provides Its Own Separate, But Unequal Access to Legacy Systems Creating Barriers to Entry In their Respective Markets and Discrimination Between Their Own Services And Services Provided by CLECs through Unbundled Elements.

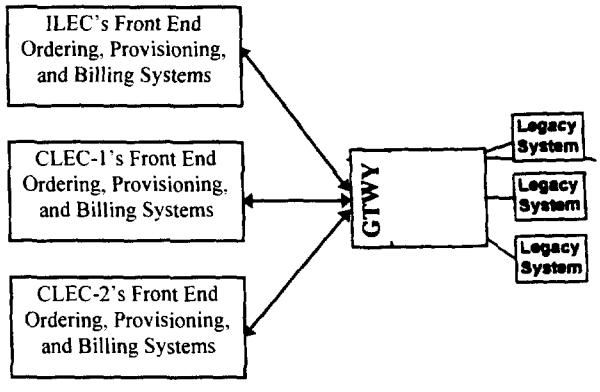

Exhibit 3: All ILEC and CLEC Systems Should Be Required to Process Their Ordering, Provisioning, and Billling Functions Through the Same National Standard's Based Interconnection Gateway An Unbundled Element-Based Provisioning Basis