

dismisses the orders and recommendations that would undermine its position: those from South Carolina, Louisiana, and North Carolina. The DOJ's evaluation includes only a copy of the Alabama PSC's Order and relevant excerpts from the Florida PSC's Staff Recommendation, which are attached as Exhibits 5 and 6 to the DOJ evaluation.

However, the DOJ should have considered the opinions of all these states, not just those that support its position.

3. The DOJ dismisses outright the South Carolina Public Service Commission's ("SCPSC") position on BellSouth's OSS interfaces, because the FCC's Michigan Order had not been issued at the time of the SCPSC's Order No. 97-640 of July 31, 1997. On the other hand, the DOJ ignores the fact that its own evaluations of the applications of Oklahoma (May 16, 1997) and of Michigan (June 25, 1997) were readily available to the SCPSC at that time. The FCC largely adopted the DOJ's evaluation of Ameritech Michigan's OSS interfaces in its Ameritech Order (released on August 19, 1997).

4. Most strikingly, the DOJ makes no mention of the Louisiana Public Service Commission's ("LPSC") decision on OSS. The LPSC voted to approve BellSouth's application for interLATA service on August 20, 1997, the day after the FCC's Ameritech Order was issued, and weeks after the DOJ's Oklahoma and Michigan Evaluations were available. In its Order U-22262-A of September 5, 1997, the LPSC reported that:

Perhaps the single most hotly contested aspect of the instant proceedings was the sufficiency of BellSouth's Operational Support Systems, LENS, EDI and TAFI. To resolve the questions raised regarding these systems the Commission conducted a technical conference, and approximately one

hundred and fifteen (115) data requests relative to these systems were propounded. Following careful consideration and analysis, the Commission concludes that the Operational Support Systems do in fact work and operate to allow potential competitors full non-discriminatory access to the BellSouth system. (Page 15.)

5. In its evaluation of BellSouth's application, the DOJ notes that the Alabama PSC ordered BellSouth to provide a live demonstration of its OSS for the state commissioners, its staff, and the intervenors. The DOJ fails to note, however, the similar live demonstration of BellSouth OSS interfaces for CLECs that was provided in Louisiana during the "technical conference" mentioned above. At the request of the North Carolina Utilities Commission, BellSouth also demonstrated its CLEC interfaces, as well as its own retail systems, in the hearings in North Carolina.
6. The FCC's Ameritech Order had long been available when the North Carolina Utilities Commission's ("NCUC") Public Staff issued its Proposed Order on BellSouth's application for interLATA services on October 31, 1997. Despite this proposed order's obvious relevance, the DOJ failed to consider it in its evaluation. A copy of the NCUC Public Staff's Proposed Order is attached as Exhibit WNS-1.
7. The NCUC Public Staff found, on page 24 of its recommendation, that:

Ms. Calhoun's [BellSouth's witness for the CLEC interfaces] testimony and demonstration provides compelling evidence that BellSouth's electronic interfaces provide [CLECs] with access to BellSouth's OSS for preordering, ordering, maintenance and repair, and billing that is substantially the same as, and in many cases better than, that which

BellSouth provides its own retail personnel. Intervenors argue that they do not get to use DOE or RNS as these are internal to BellSouth and are hence prejudiced. DOE, however, is an old DOS-like system which requires the operator to enter a multitude of codes and is not user friendly, whereas LENS is an easy to use, Windows-based system that is much easier to use than DOE. The Commission sees no discriminatory treatment here but only that BellSouth has simplified access for the [CLECs] to its OSS and databases. If anything, BellSouth has gone beyond the requirements set forth in Section 271(c)(2)(B) of the Act.

8. The DOJ evaluation of BellSouth referred negatively to changes to the CLEC interfaces and cited some CLECs' complaints regarding the "stability" of the interfaces. In contrast, the NCUC staff found, on pages 24-25, that BellSouth's practice of improving and changing the interfaces was a positive thing:

The intervenors argue that these changes indicate that these interfaces do not meet the competitive checklist as they are deficient or otherwise would not need changing. The standard set forth in the Act, however, is not perfection but only that the [CLECs] must have access to the incumbent local exchange carrier's OSS in substantially the same time and manner that an incumbent can for itself and under terms and conditions that would provide an efficient competitor with a meaningful opportunity to compete. BellSouth has testified that it has been modifying its interfaces and software where problems have arisen and/or to better meet the needs of the [CLECs]. This Commission does not view such updates as evidence that BellSouth's

systems did not meet the checklist items at their inception, as argued by the intervenors, but that such changes have enhanced such interfaces and are evidence of BellSouth's continuing objective to make its interfaces work as seamlessly as possible and meet the needs of the [CLECs].

9. The DOJ criticizes BellSouth for suggesting that CLECs can "cut and paste" information from LENS into the ordering interface or into the CLECs' OSS, and described it as "unmanageable for a CLEC seeking to enter the market on any significant scale." (See page A-13.) The NCUC Public Staff, however, after describing a CLEC's complaint about copying pre-ordering information from LENS, reported ". . . that it is very easy to electronically copy the LENS information into BellSouth's [CLEC] ordering interfaces, and it is a task that a skilled [CLEC] customer service representative can accomplish in less than a minute." (Page 22.)
10. In concluding its section on OSS, on page 28, the NCUC Public Staff stated that:
The Commission is satisfied that BellSouth's interfaces do not put the [CLECs] at a competitive disadvantage *vis a vis* BellSouth. All of the functionalities needed by the [CLECs] to order BellSouth's services are provided for by BellSouth through its interfaces and allow the [CLECs] to access BellSouth's OSS in substantially the same time and manner as is available for BellSouth's own personnel.
11. Instead of relying on the Georgia PSC's actual Interim Order Regarding Revised Statement in Docket No. 7253-U (released on October 30, 1997) for its understanding of the Georgia PSC's position on BellSouth's OSS interfaces, the DOJ instead relies on an October 30, 1997 article in *Communications Daily*. The actual Interim Order makes

clear, however, that the purpose of the Georgia PSC in issuing the Interim Order was to determine the status of BellSouth's Revised SGAT, not to reach "... any conclusion as to whether BellSouth or its Revised SGAT would meet the checklist requirements of Section 271" (page 11). The Order also noted that on page 3:

BellSouth has made substantial progress . . . in developing electronic interface access to its operational support systems (OSS). Some further development will be necessary, especially to refine the OSS electronic interfaces and demonstrate whether they provide nondiscriminatory access at parity to BellSouth's internal OSS access.

12. Based on the "substantial progress" in the areas of OSS, collocation arrangements, criteria for performance standards, and pricing, the Georgia PSC permitted the Revised SGAT to take effect. (Page 3.)
13. In the conclusion of its Interim Order, the Georgia PSC made clear it was not issuing a finding regarding BellSouth's OSS interfaces:

The Commission concludes that the Statement *may not yet fully comply* with all the standards and requirements of Sections 251 and 252(d) of the Act, especially with regard to the need for continued development of electronic interface access to operational support systems and performance standards. However, the Revised Statement overall *does comply to such a degree* that it should be permitted to take effect so that new entrant CLECs may take its rates, terms and conditions. (Page 11; *emphasis added.*)

14. In order to propose any necessary enhancements and to ensure that BellSouth's OSS systems meet the spirit and intent of the Act, the Georgia PSC has scheduled a non-

adversarial “technical workshop” as described in the Interim Order. The workshop is to occur in early December, 1997. The Interim Order shows that the Georgia PSC’s position is by no means as definite or negative as the *Communications Daily* article would suggest.

15. In asserting that BellSouth does not provide CLECs with the same OSS that BellSouth uses for its retail operations, ALTS complains that, “BellSouth refuses to allow CLECs to use either its legacy OSS - claiming harm to customer privacy - nor will it create any mediated access that would cure such ‘difficulties’.” ALTS is not correct. For repair and maintenance, for example, CLECs and BellSouth both use the Trouble Analysis Facilitation Interface (TAFI). TAFI, in turn, accesses the same downstream, internal maintenance “legacy” OSS that BellSouth uses in its retail operations; these OSS are also used for CLEC maintenance records processing, such as providing maintenance histories. These systems process both CLEC and BellSouth troubles the same way, and in the order in which they are received via TAFI. (Also see original William Stacy OS Affidavit.)
16. The ALTS comments are particularly inappropriate with respect to ordering and provisioning. First, no CLEC has requested direct access to BellSouth’s retail ordering and provisioning systems, such as the RNS, DOE and SONGS systems described in my initial affidavit. On the contrary, while BellSouth uses different systems for residence and business orders, and for different sectors of its nine-state region, CLECs request industry standard ordering and provisioning interfaces, such as the EDI interface BellSouth makes available for CLECs. The systems on BellSouth’s side of the EDI interface convert industry standard CLEC local service requests to service order formats recognized by the same legacy Service Order Control System (SOCS) that processes

retail orders, which is a form of mediated access. Finally, it should be noted that in its Oklahoma filing, SBC indicated that it offers CLECs direct access to its retail ordering systems. The DOJ, however, in its Oklahoma evaluation, took a negative view of that arrangement, stating “as both a practical and legal matter, SBC’s ability to receive orders . . . rests exclusively on its EDI interface.” (See Oklahoma Evaluation, page 79)

III. PRE-ORDERING

17. The DOJ’s analysis with regard to pre-ordering functionality is hampered by an unfortunate misapprehension of key facts that inevitably produces faulty conclusions. Furthermore, even if the conclusions were valid, they would be irrelevant to the overwhelming majority of CLEC orders, and thus would have no bearing on the meaningfulness of a CLEC’s opportunity to compete.
18. The DOJ focuses its pre-ordering functionality inquiry primarily on the availability of telephone numbers and installation dates. What the DOJ first fails to recognize is that neither function is relevant to BellSouth’s existing installed base of customers -- the primary target market for CLECs. This fact is corroborated by an October 9, 1997 AT&T filing with the FCC in which AT&T indicates that the “overwhelming majority” of CLEC orders involve the migration of existing customers’ accounts -- either as is, or with a feature change. (See AT&T’s Opposition to Petitions for Reconsideration and Clarification in CC Docket No. 97-137.) Quite simply, existing customers already have telephone numbers and installed service. There is no need to assign or reserve telephone numbers nor to determine an “installation” date. (Indeed, the Department itself looks to PIC changes -- the process of existing customers switching long distance carriers -- in its capacity analysis. While BellSouth disagrees, for reasons that will be explained in the

capacity discussion, with PIC changes as an appropriate capacity measure, the fact remains that most orders will be for existing customers seeking to change local carriers.) Thus, while the DOJ suggests that BellSouth's limit on the speculative pre-reserving of telephone numbers in the absence of actual customer orders "may deprive CLECs a meaningful opportunity to compete", this limit has no bearing on the overwhelming majority of CLEC orders.

19. Moreover, and most importantly, the DOJ is mistaken in believing that the 100 number reservation limit affects order activity even for those orders that require number assignments. Reservation is defined as holding a number for future use without an imminent request for service. This limit was designed to address a simple mathematical fact: if ten CLECs were to reserve 1,000 numbers in each central office for speculative future use, an entire NXX code would be exhausted in every central office without any actual customer orders for service. State commissions that must address area code splits and other aspects of the diminishing supply of numbers no doubt consider such matters when determining whether a "limitation" of this nature is reasonable. The potential for CLECs prematurely to exhaust through advance reservations already scarce telephone numbers in the absence of customer orders, coupled with the facts that telephone number assignment is not even a relevant function for most CLEC orders, and that no limits are applied to numbers selected for actual service orders, makes BellSouth's current process reasonable, and one that has no demonstrable bearing on a CLEC's telemarketing campaigns, or any other aspects of a CLEC's meaningful opportunity to compete.
20. Furthermore, while AT&T complains vociferously to this Commission as well as to state commissions about this limit, this arrangement in fact was negotiated between AT&T and

BellSouth and is included in BellSouth's interconnection agreement with AT&T. It is clear from the language in that agreement that AT&T is not limited to the use of only 100 numbers per central office at any given time. Paragraph 28.1.1.4 of the General Terms and Conditions, Part One of that interconnection agreement for every state in the BellSouth region, including South Carolina, contains the following language:

BellSouth will reserve up to 100 telephone numbers per NPA-NXX at AT&T's

request, for AT&T's sole use. **BellSouth will provide additional numbers at AT&T's request in order that AT&T have sufficient numbers available to meet expected needs.** The telephone number reservations made in this manner are valid for AT&T's assignment for ninety (90) days from the reservation date. BellSouth will make the telephone number reservations available to AT&T via diskette by no later than August 15, 1996 and by electronic file transfer no later October 15, 1996. BellSouth agrees to implement an electronic interface to improve this process by December 31, 1996, but no later than April 1, 1997.

(Emphasis added.)

21. The electronic interface described in the last sentence of the previous paragraph is the LENS interface. Numbers are reserved through the inquiry mode of LENS, while the "additional numbers" to which BellSouth contractually committed are available through the firm order mode of LENS. As the highlighted information shows, there is no limitation that would make it infeasible for a CLEC to obtain numbers and place orders in competitively significant numbers, or that would inhibit targeted marketing campaigns, as the DOJ suggests. The limit on reservations is simply a negotiated starting point that

recognizes the finite nature of the available supply of telephone numbers. AT&T and BellSouth have continued to engage in discussions about alternative language for this contract provision. BellSouth has proposed removing the 100 number limit for numbers reserved through the inquiry mode of LENS.

22. Of course, even today, for those orders actually involving telephone numbers, a CLEC can avoid the telephone number “reservation” process and its associated limit altogether by simply “selecting” a telephone number and submitting the order in the firm order mode of LENS. This can be done regardless of whether the subsequent order will be placed via EDI, LENS, or any other means.
23. Indeed, the Department appears to misunderstand that pre-ordering information can be obtained in either the inquiry mode or the firm order mode of LENS. For example, at page A-17 of Appendix A, the DOJ indicates that because BellSouth does not recommend the use of LENS for ordering, “inquiry mode can be expected to be the typical mode”. In fact, however, LENS contains pre-ordering information in both modes, and the CLEC can simply select telephone numbers in the firm order mode, even if the order will subsequently be placed via EDI. The telephone number database recognizes this transaction as a number selected for an imminent service order, and numbers so selected do not count against the numbers reserved for future use, and therefore do not even apply to the limit at issue. Despite AT&T’s assertions that the number will be lost if the CLEC does not continue with the LENS order, there is no requirement that the order be issued through LENS for the number to remain selected, and the numbers remain “selected” for ninety days.

24. MCI also expresses concern that while using LENS, CLECs may only select a limited number of phone numbers in a single session. Again, this is not relevant to existing customers. For new customers, CLECs can select six numbers at a time, and they may do so twice, yielding a twelve numbers selection capability in a single session. Given that the average number of lines per retail order for new service is less than two, as well as the fact that number selection is not even needed for the vast majority of CLEC orders, this does not limit a CLEC's meaningful opportunity to compete.
25. The fact that pre-ordering information can be obtained in either the inquiry or the firm order mode, at the CLEC's option, also obviates the DOJ's and AT&T's concerns about address validation in the inquiry mode of LENS. The "mechanism" that saves the validated address from one pre-ordering function to the next, that the DOJ opines would offer functionality like BellSouth's own systems, already exists in the process of obtaining pre-ordering information in the firm order mode. The inquiry mode, meanwhile, offers CLECs the option of going directly to a specific pre-ordering function, rather than following the pre-determined sequence. Even if the CLEC chose not to use the firm order mode, address validations take only a few seconds, and repeating them does not impede CLECs' ability to compete.
26. Furthermore, even in the inquiry mode of LENS, address validation is not a required function at all for obtaining customer service records. This is the pre-ordering function CLECs are most likely to use, given that -- as AT&T admits -- most CLEC orders involve existing customers switching local providers. For those requests, the CLEC will consult the existing customer record, which already contains a validated address. Thus, this issue is irrelevant to the overwhelming majority of CLEC orders.

27. In footnote 28 on page A-20 of Appendix A of the Evaluation, the DOJ refers to the complaint that the LENS preordering interface does not show driving instructions for unnumbered addresses during address validation. On the one hand, the DOJ does “not believe that the Commission should require ‘perfection’ in OSS offerings as a condition of section 271 approval,” but on the other hand, the DOJ implies that because LENS does not display “driving instructions”, CLECs may lack parity. (DOJ Evaluation at page 28.) What the DOJ overlooks, however, is that this is a nearly obsolete functionality for BellSouth’s retail operations, as explained in ¶ 18 of my initial OSS affidavit. Even if this information were needed for address validation, it would not be relevant to CLECs’ orders to switch the installed base of customers to the CLEC.
28. As with its review of access to telephone numbers, the Department’s discussion of access to installation dates misses the mark when considered in light of the facts. Again, given that most CLEC orders will be to switch existing customers, the DOJ once more fails to recognize that this function is not applicable to most CLEC orders, and therefore reaches an erroneous conclusion. For example, the DOJ mistakenly concludes, at page A-17 of Appendix A, that “for the 80 percent of orders that BellSouth estimates will be submitted via EDI, not only will the CLECs be unable to provide their customers with firm due dates on the original telephone call, they will often be unable to provide due dates the same day.” This conclusion presumes that all the CLEC orders will be for new service requiring premises visits, which is simply not consistent with the facts. As AT&T correctly indicates in its October 9, 1997 filing in CC Docket No. 97-137, the overwhelming majority of CLEC orders involve a switch “as is” or switch “with changes”, such as PIC or feature changes; these orders do not involve “installations”

requiring premises visits. Thus, the DSAP installation calendar, which provides schedule availability for new installations requiring premises visits by field installation forces, has no bearing on these orders and need not be consulted at all for the vast majority of CLEC orders. These orders involve business rules that have been provided to CLECs through an industry letter and were included in Exhibit WNS-49 of my original OSS affidavit. For example, switch as is orders received by 3:00 p.m. carry a same-day due date; such orders received after 3:00 p.m. carry a next-day due date. Thus, contrary to the Department's conclusion that BellSouth denies CLECs non-discriminatory access to installation dates, the CLECs can, in fact, provide their customers with firm due dates on the original telephone call.

29. The DOJ claims that LENS does not calculate a due date. **LENS does calculate a due date as part of a firm order**, which is the same situation in which BellSouth's retail systems actually calculate a due date. The installation calendar tables used to calculate the due date are shown in the inquiry mode as well. The installation calendar also is accessed separately by BellSouth's retail service representatives to respond to retail customer inquiries. Other due date affecting information is visible in both the inquiry and firm order modes, as the inquiry mode installation calendar shows both the Quickservice and Connect Through indicators. Also, even though the CLECs forecasted the majority of electronic orders would be submitted via EDI, that, in fact, is not the case thus far. In October, 72% of the electronic orders were submitted via LENS.
30. The DOJ states that "BellSouth has not justified its lack of a pre-ordering application-to-application interface." (Appendix A, page A-12.) We disagree. In the absence of industry standards, BellSouth has willingly engaged in a joint development effort of an

application-to-application interface with a carrier that has been willing to undertake its share of the development. BellSouth has responded to a specific request from AT&T for an application-to-application pre-ordering interface, and is developing an interface designed to AT&T's specifications. While the DOJ correctly notes that the interface, known as EC-Lite, will not be available until December, 1997, what the DOJ completely overlooks is that the EC-Lite timetable was negotiated between the parties and is specified in the BellSouth-AT&T interconnection agreement. That mutually agreed upon timetable reflects the development effort required by AT&T as well as BellSouth.

31. Second, the DOJ recognizes that application-to-application interfaces are highly expensive, and not suitable for all CLECs. Experience in the access environment supports this view, as only the largest interexchange carriers have implemented the application-to-application interfaces available for access. What the DOJ disregards, however, is that the same interexchange carriers also are CLECs. Of those, AT&T has chosen a customized application-to-application pre-ordering interface developed in advance of industry standards, while the interconnection agreement with MCI contemplates an industry standard interface, when such standards become available. Given that there is no industry standard for such an interface, together with the significant cost of application-to-application interfaces -- for which BellSouth is entitled to seek recovery from CLECs -- it makes little sense for BellSouth unilaterally to develop an expensive additional unbundled element in the form of an interface for which there has been no demand outside the hearing room.
32. Next, there as yet are no industry standards for a pre-ordering interface, as the DOJ notes. However, the DOJ suggests, in footnote 8 of Appendix A, that industry standards

development is often stable early in the process, with the implication that BellSouth should be able to proceed with development in anticipation of eventual standards.

BellSouth did, in fact, develop its EDI ordering interface on that basis beginning in April, 1996 -- and has been vehemently criticized by AT&T in state proceedings for the "instability" of its interface and accompanying documentation when subsequent changes were necessitated to conform to the final industry standards.

33. As to pre-ordering standards, while the DOJ recognizes that there currently is no pre-ordering standard, Appendix A at page A-6 states without explanation that "[t]he Department understands that standards for pre-ordering functions are also expected soon." However, the industry's direction is not at all clear. The recent activity at the industry's Electronic Communications Implementation Committee (ECIC) is particularly illustrative of this point. In April, 1997, ECIC reported to the industry that it had evaluated a number of alternatives for an application-to-application pre-ordering interface, and recommended that the industry adopt EDI as the "least objectionable" alternative. However, ECIC continued to discuss the issue, and as recently as October 30, 1997, produced an alternate, temporary dual "standards" recommendation of both CORBA and EDI/SSL3, with the anticipation of CORBA becoming the long-term recommendation. The ECIC activity makes it quite clear that an application-to-application interface is not by definition a single, standardized interface. Therefore, an application-to-application interface alone, in the absence of an industry standard, means that much of the benefit of an application-to-application interface cited by the DOJ -- such as a single system that CLECs can use to interact with all BOCs -- is illusory.

34. As the DOJ correctly notes, BellSouth has contractually obligated itself to implement industry standards when they become available, and has undertaken AT&T-requested development of an application-to-application interface on a negotiated schedule that reflects AT&T's timetable as well as BellSouth's. No further justification is necessary.
35. BellSouth is encouraged by the DOJ's apparent agreement that CLECs are responsible for integrating the pre-ordering and ordering functions. It is unfortunate, however, that the Department has chosen to rely on the unsupported allegations of commenters such as AT&T in erroneously concluding that BellSouth is at fault for not having "systems that are necessary to accomplish this task that have [been] fully specified, implemented, and tested." (Appendix A at A-14) For example, in footnote 16 of Appendix A, the DOJ recites without question AT&T's statement that "BellSouth has never provided final, usable specifications".
36. The DOJ places undue emphasis on AT&T's account of the issues around these specifications, while AT&T's account omits important facts. In ¶¶ 32-45 of his affidavit, to which the DOJ refers, AT&T's Mr. Bradbury accuses BellSouth of not cooperating with AT&T on the Common Gateway Interface [CGI], or tag-value, process that would allow AT&T to integrate LENS data with AT&T's OSS. This is only AT&T's interpretation of the events surrounding the CGI specification, and BellSouth's actions during this time must be considered in order to have a complete understanding of what occurred. BellSouth, indeed, over a number of months, attempted to accommodate AT&T in this regard. In addition to the development of the EC-Lite interface, BellSouth made several proposals to AT&T regarding methods for integrating AT&T's OSS with LENS. When AT&T began requesting the CGI specification in 1996, BellSouth told

AT&T that it would not be available until the LENS pre-ordering interface was complete. Mr. Bradbury complains that AT&T received a March 20, 1997 specification that later was withdrawn. What Mr. Bradbury does not say is that BellSouth, in March, 1997, told AT&T that the CGI specification in question was not ready to be released, and would be available April 30, 1997. At AT&T's insistence, the specification was released to AT&T for review on March 20, 1997, before the BellSouth technical developers considered it complete. AT&T was aware of this on April 8, 1997, when BellSouth retracted the document for technical reasons.

37. What AT&T further omits from its account is that AT&T decided to discontinue work on the proposed CGI development because it would require more development effort on AT&T's part than AT&T was willing to undertake. In a May 5, 1997 letter from an AT&T vice president to BellSouth's Interconnection Services President, AT&T stated that it had found the tag-value solution to be an "attractive alternative" that would "provide the query responses in a format that could be useful to AT&T in eliminating manual rework". However, the same letter, which is provided as Exhibit WNS-2, indicated that AT&T was now rejecting this alternative because, upon examining the April, 1997 draft documentation, AT&T had "discovered" that AT&T would have to play a significant role in the development that had not been evident in the draft AT&T had insisted upon receiving before the developers had finished their work. While BellSouth therefore does not dispute that it discontinued work on the CGI or tag-value specifications in April, 1997, it did so because AT&T specifically informed BellSouth that AT&T had no further interest in pursuing that alternative, and there was no interest expressed by any other CLEC at that time. Not unreasonably, because of the expense and

man-hours involved and the lack of interest on the part of other CLECs, BellSouth did not attempt to keep the CGI specification updated. AT&T's account of the "chronology" around this issue is seriously flawed and misleading, and the DOJ's reliance upon it therefore is woefully misplaced.

38. Moreover, the DOJ appears to have misunderstood AT&T's convoluted account, as the DOJ inaccurately reports, in footnote 16 of Appendix A, that "BellSouth witnesses . . . have testified before state commissions that firm specifications require a LENS interface that will not exist until at least 1998." No such testimony has been given in any state in the BellSouth region. AT&T has pieced together this erroneous position from a combination of sources which do not include sworn testimony. The DOJ further reports, at page A-26, that BellSouth represents the specifications as available, but again refers to AT&T's Bradbury affidavit as "citing contrary BellSouth testimony before state public service commissions." BellSouth's witness in the state proceedings on these issues has testified that the specifications provide a good basis for beginning discussions with an interested CLEC about the joint development required, and that some updates must be made to reflect the current LENS functionality, but that joint discussions and development could begin with the information currently available while the specification was updated as a parallel effort. Actual sworn testimony on this point was included in Attachment 5 of the MCI King declaration in this proceeding. See page 3461, lines 19-23 of the transcript from the Georgia PSC Docket No. 6863-U, and page 1337, lines 7-21 of the transcript from the Florida PSC Docket No. 960786-TL, both provided here as Exhibit WNS-3.

39. As the result of more recently receiving indications that MCI was prepared to develop jointly the CGI interface, BellSouth has agreed to update the previously drafted CGI specification in cooperation with MCI. While the MCI King affidavit makes various claims about MCI's interest in CGI, it was not until BellSouth received MCI's letter of September 5, 1997 letter (Attachment 6 to the affidavit of King of MCI), that MCI indicated that it was ready to proceed with a joint development effort, which provides a reasonable basis for BellSouth's committing additional resources to this effort.
40. MCI alleges that a CLEC cannot determine if service was ever provided at a specific address in LENS. That is not correct. LENS shows a message from RSAG which indicates if service was previously provided at an address.
41. MCI complains that a CLEC using LENS must scroll through a list of codes for presubscribed interexchange carriers (PICs) and features to determine if the customer's desired PIC or feature is available. Interexchange carriers are listed randomly in LENS, just as they are for BellSouth's retail service representatives due to a divestiture-related regulatory requirement. A BellSouth service representative using DOE must scroll through the same list of carriers as the CLEC. In point of fact, however, neither LENS nor DOE users need actually scroll for most orders, because most of the interexchange market is controlled by a very few carriers with PIC codes that are well-known to service representatives. Features are listed alphabetically in LENS for ease of use.
42. MCI alleges that a CLEC using LENS cannot determine what (customer) local taxes might be applicable. A carrier's local tax status is a required field, and applies to the carrier, not to the end customer. BellSouth has no way of knowing what a CLEC's tax

status is, which is why it is a required input. A customer's tax status is available from the customer, and is not part of the definition of pre-ordering information.

43. MCI claims that BellSouth failed to provide access to "important pre-ordering functions, such as block of direct inward dialing (DID) number inquiry, DID trunk inquiry, and unbundled network element service provider inquiry." These functions are being addressed by OBF more as ordering functions. If MCI wants BellSouth to develop access to these functions, it can submit this request via the BFR (Bona Fide Request) process.
44. Several CLECs complained that LENS does not provide them with the ability to view and/or print longer customer service records. The situation was explained in my initial affidavit at ¶ 38. The 54-page limit, as described in that affidavit, is actually a 54-page per section limit for complex records (e.g., PBX and Centrex-type customers), and CLECs can print and view seven sections for complex customer service records, for a "limit" of 378 pages.
45. AT&T incorrectly claimed that RSAG, the address validation database, collapsed in response to modest increases in volumes of simple POTS orders. The problems cited by AT&T did not occur with any of the interfaces on which BellSouth is relying for non-discriminatory access, but arose in an interim tool for address validation called *Interconnection Reference External Customer Validation* (ICREF), which was originally developed for the interexchange market. AT&T was using this application because they had not yet completed their internal training program on LENS. The primary cause of this "problem" was that multiple AT&T agents were improperly using the same passwords to access the system, rather than individually-assigned passwords, as AT&T had failed to request from BellSouth an appropriate number of passwords. What AT&T

depicts as a “capacity” problem was, in fact, the system’s properly interpreting this AT&T practice as a potential security violation and taking appropriate steps to restrict access.

46. BellSouth twice sent an engineer to the AT&T center to evaluate how ICREF was being used and to observe the error conditions being reported. When the actual number of users became known, BellSouth immediately, and proactively, doubled the physical capacity of the interface to accommodate the volume. BellSouth also revised the system parameters to reflect the actual number of AT&T agents using the system. AT&T employees were also inputting NPA/NNX combinations that were not found in BellSouth’s region, which produced unusual error messages that AT&T erroneously interpreted and reported to BellSouth as “RSAG problems”. During this period, BellSouth developed and implemented additional edits on NPA and changed the error message to better describe the condition. Throughout this process, AT&T did not follow the established, agreed-upon problem reporting process and consequently reported the problem erroneously as an “RSAG problem”. Once the proper problem area was identified, BellSouth quickly assembled a team that took the steps described above. After this work was completed, BellSouth formally requested that AT&T again apply high volume usage to the ICREF system to demonstrate our ability to handle the demand. As of October 22, 1997, AT&T has failed to respond to the request.

IV. ORDERING AND PROVISIONING

47. The DOJ, AT&T, and MCI complain about rejects and jeopardies being returned manually. CLECs are not entirely correct when they claim that rejected orders are handled manually. Edits to minimize these rejections have been available via the LENS

ordering functionality since its availability in April, 1997. EDI orders rejected by the EDI translator are rejected electronically, and customer-caused missed appointments, as a form of jeopardy notification, are returned electronically. Orders rejected by subsequent systems are handled manually. BellSouth is making the initial version of an automated capability for these subsequent rejections available in November, 1997, even though AT&T has indicated that it is not ready to handle electronic rejects in November. The full version is scheduled to be operational in the first quarter of 1998, if the CLECs using EDI agree on the specifications. Such agreement is necessary because several CLECs are using or implementing EDI, and there is no industry standard for this capability. To facilitate the process of obtaining such agreement, all CLECs using EDI were invited to a CLEC conference hosted by BellSouth on October 30 and 31, 1997, at which this issue was discussed.

48. BellSouth service representatives in the Local Carrier Service Center (LCSC) process rejected orders requiring manual handling. Such manual handling for CLECs' orders is comparable to that for BellSouth's own orders that are rejected. BellSouth has a retail center for rejected residence orders known as the Trouble Resolution Error Correction Center (TRECC). Manual error correction is performed by services representatives at the TRECC, just as CLEC orders are corrected in the LCSC.
49. The DOJ indicates BellSouth's CLEC flow-through rate is low, quoting AT&T's claim of BellSouth's flow-through, but not BellSouth's indicated flow-through figures, which were 91% adjusted flow-through for August (see Exhibit WNS-38) and 89% for September. These figures do compare favorably to the range of BellSouth's retail flow-through rates of 96% for residence and 81% for business. The reason the CLECs' errors

are removed to show the adjusted flow through rate is to show what the systems are capable of handling electronically. Some CLECs are capable of high flow-through, as shown in Exhibit WNS-41. BellSouth continues to work with CLECs to increase flow-through and decrease CLECs' errors, including keeping the systems' documentation current (see Documentation & Training section below).

50. The DOJ, in relying on the affidavit of AT&T's witness, Jay Bradbury, and in its review of Exhibit WNS-52, apparently has misunderstood -- and therefore understated -- the quantity and types of resale services and unbundled network elements that are available through the EDI interface. As described in William Stacy's OSS affidavit at ¶¶ 53, 58, and 63, EDI supports the electronic ordering of 30 resale services, four "complex" resale services (PBX trunks, Synchronet®, ISDN-Basic-Rate services, and hunting), and unbundled loops, unbundled ports, and interim number portability.
51. Furthermore, the information in ¶ 58 of William Stacy's OSS affidavit shows that BellSouth offers to CLECs electronic ordering with mechanized order generation ("flow through") for BellSouth's most often requested retail services. As of the date BellSouth filed its application for interLATA service in South Carolina, mechanized order generation was available for 30 resale services, as listed in Exhibit WNS-27. No manual intervention is needed for these services on BellSouth's side of the interface, and this includes the generation of firm order confirmations and completion notices related to these services. Collectively, these 30 resale services, which CLECs may order through EDI (and LENS), are the same services, which when sold to BellSouth's end user customers, represent 90% of BellSouth's Consumer and Small Business retail operating revenue. In other words, BellSouth's EDI interface for CLECs enables them

electronically, to order with flow-through, the services most often requested by customers in BellSouth's region. Also, as mentioned in William Stacy's OSS affidavit in ¶ 58, mechanized order generation became available as of October 6, 1997 for unbundled loops, unbundled ports, and interim number portability.

52. The DOJ refers to ¶ 113 of the affidavit of Jay Bradbury of AT&T as evidence that BellSouth does not provide electronic ordering through EDI for services which it can order electronically itself. The services Mr. Bradbury describes in his affidavit are "complex" services. BellSouth's explanation of the ordering of complex services appears ¶¶ 63-69 of William Stacy's OSS affidavit. While it is true that CLECs are unable to order electronically certain services, due to their complexity, the same is true for BellSouth. The manual processes BellSouth uses for its own complex retail services customers are substantially the same processes used for the complex services offered to CLECs. Complex, variable processes are relatively difficult to mechanize, and BellSouth has concluded for its retail operations that mechanizing many lower-volume complex services would be imprudent, in that the benefits of mechanization would not justify the cost. Since the same manual processes are in place for both CLEC and BellSouth retail orders, the processes are competitively neutral. If any CLEC, in exercising its independent business judgment, were to reach a different conclusion, it could certainly fund the cost of complex service mechanization through a bona fide request for additional functionality. During 271 proceedings at the state level, many CLECs complained of manual processes for the ordering of complex services. At this time, I know of no CLEC that has approached BellSouth about a joint development effort for mechanizing these

processes. It appears that no CLEC in BellSouth's region is developing systems on its side of the interfaces to accommodate the inputting of complex orders.

53. Some CLECs complain that LENS cannot process change orders. Although CLECs are correct in this assertion, the EDI ordering interface, including the EDI-PC capability for smaller carriers, does process change orders, and LENS will in the future. In the meantime, LENS processes a cancel order and then a new order. (Due date changes can be handled electronically now).
54. AT&T complains about specifying line class codes (LCCs) on each LSR. LCCs are required input and must be provided as feature detail or included with the class of service, which is required to generate an order. LCCs are used by the service order generator system as part of the mechanized service order generation.
55. For switch-as-is customers, since all of their features are converted to the CLECs, LENS is available for switch-as-is customers for all of their features, including multi-line hunt groups.
56. ACSI and Sprint complain that BellSouth fails to acknowledge orders and provision them on a timely basis. For the week ending October 19, 1997, BellSouth sent ACSI 68% of their FOCs (firm order confirmations) in less than 24 hours. For the week ending October 12, 1997, BellSouth sent Sprint 86% of their FOCs in less than 24 hours.
57. AT&T alleges that FOCs and CNs (Completion Notices) that BellSouth transmits are barebones transmissions that do not identify the services actually ordered and installed by BellSouth. That is not true. As described in paragraph 75 of my OSS affidavit, the 855 and 865 (FOC and CN transactions respectively) do return the class and type of service to the CLEC. (To address an EDI claim, if an order is cancelled, EDI does send a FOC