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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

March 24, 2000

BY HAND

**REDACTED – FOR PUBLIC
INSPECTION**

Magalie Roman Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Written *Ex Parte* Communication
Applications by SBC Communications Inc., Southwestern
Bell Telephone Company, and Southwestern Bell
Communications Services, Inc. d/b/a Southwestern Bell
Long Distance for Provision of In-Region, InterLATA
Services in Texas, CC Docket No. 00-4

Dear Ms. Salas:

Over the last several weeks Southwestern Bell Telephone Company ("SWBT") and other parties, including the Department of Justice ("DOJ"), have filed with the Commission *ex parte* letters on SWBT's performance in a number of areas, including hot-cut loop provisioning. The debate surrounding hot cuts recently has focused on the hot-cut loops actually provisioned by SWBT. For example, SWBT's March 2, 2000 *ex parte* presents data on three hot-cut related metrics, including percent premature disconnects, cut duration, and SWBT caused delayed coordinated cutovers.¹ Similarly, DOJ's March 20, 2000 *ex parte* focuses on these same metrics.²

Although the hot-cut data items addressed by SWBT and DOJ are important, those data elements describe only those hot-cut loops that are provisioned. That is, the SWBT and DOJ data address loops that SWBT actually delivers. That debate does not address the number of hot-cut loops that are provisioned late. In Texas, Allegiance Telecom, Inc.

¹ See Letter from Austin C. Schlick, counsel to SBC Communications Inc., to Magalie Roman Salas, Federal Communications Commission, CC Docket No. 00-4 (filed March 2, 2000).

² See Letter from Donald J. Russell, Department of Justice, to Magalie Roman Salas, Federal Communications Commission, CC Docket No. 00-4 (filed March 20, 2000).

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(“Allegiance”) has had and continues to have chronic problems receiving hot-cut loops on the Firm Order Confirmation (“FOC”) date provided by SWBT. As demonstrated below, in the month of December 1999, SWBT provisioned hot-cut loops on the date due to Allegiance less than 73% of the time:

DATE	Lines Due from SWBT	Lines Installed by SWBT	On Time Installation Rate
12/1/99	[REDACTED]	[REDACTED]	100.00%
12/2/99	[REDACTED]	[REDACTED]	92.71%
12/3/99	[REDACTED]	[REDACTED]	76.21%
12/6/99	[REDACTED]	[REDACTED]	45.00%
12/7/99	[REDACTED]	[REDACTED]	71.79%
12/8/99	[REDACTED]	[REDACTED]	78.04%
12/9/99	[REDACTED]	[REDACTED]	86.76%
12/10/99	[REDACTED]	[REDACTED]	93.94%
12/13/99	[REDACTED]	[REDACTED]	68.42%
12/14/99	[REDACTED]	[REDACTED]	70.53%
12/15/99	[REDACTED]	[REDACTED]	95.38%
12/16/99	[REDACTED]	[REDACTED]	81.03%
12/17/99	[REDACTED]	[REDACTED]	78.79%
12/20/99	[REDACTED]	[REDACTED]	61.19%
12/21/99	[REDACTED]	[REDACTED]	65.56%
12/22/99	[REDACTED]	[REDACTED]	53.98%
12/23/99	[REDACTED]	[REDACTED]	64.00%
12/27/99	[REDACTED]	[REDACTED]	68.75%
12/28/99	[REDACTED]	[REDACTED]	55.30%
12/29/99	[REDACTED]	[REDACTED]	80.29%
12/30/99	[REDACTED]	[REDACTED]	89.33%
Total	[REDACTED]	[REDACTED]	72.82%

In Allegiance’s experience, there are two primary causes for missed FOC dates in the hot-cut provisioning process in Texas. First, Allegiance often encounters delays due to SWBT’s claims of “cable facilities” problems. These problems relate to SWBT’s insistence that different loop pairs be used between the customer’s premises and SWBT’s main distribution frame. SWBT often claims that it must “engineer” new loops, rather than use existing loops, before a cutover may begin, which results in such delays. Allegiance has attempted to remedy this by negotiating a “same-as” loop pair provision into its interconnection agreement with SWBT, but SWBT continues to follow its previous practice, contrary to Allegiance’s interconnection agreement.

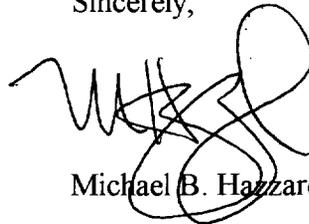
Second, SWBT often informs Allegiance that it can’t perform a hot cut on the FOC date due to the existence of a “busy collocation pair.” Allegiance’s hot-cut orders contain a

collocation pair assignment for each loop. Due to lags in SWBT's inventory control system, SWBT often believes that customers are using Allegiance collocation pairs, when in reality these collocation pairs are free. When a customer migrates from Allegiance back to SWBT, Allegiance informs SWBT that the associated collocation pair is free, and Allegiance then attempts to assign the free collocation pair to a new customer. Lags in SWBT's inventory control system, however, cause SWBT to believe that the now free collocation pair is still being utilized, resulting in provisioning delays.

Allegiance notes that other issues can cause provisioning delays, some of which are attributable to Allegiance. Lack of cable facilities and busy collocation pairs are, however, the primary reasons that SWBT fails to meet the hot-cut FOC dates that it establishes and on which Allegiance relies in attempting to ensure a smooth transition for its customers. Although it is very important for the Commission to evaluate SWBT's performance in cutting loops over to competitors, the Commission also should give careful consideration to SWBT's failure in many instances to meet its FOC dates for loops that are designated for hot cuts.

Allegiance is seeking confidential treatment of the line-count data provided herein, and pursuant to the Commission's filing requirements in this proceeding, Allegiance is providing "confidential" and "redacted" versions of this *ex parte* submission. Pursuant to section 1.1206(b)(1) of the Commission's rules and filing requirements, an original and two copies of this letter are being provided to you for inclusion in the record of the above-referenced proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Hazzard", written over a circular scribble.

Michael B. Hazzard

Counsel to Allegiance Telecom, Inc.

cc: Lawrence E. Strickling
Robert C. Atkinson
Jake E. Jennings