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June 28, 2000

EX PARTE

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 12th S.W., Room TWB-204
Washington, D.C. 20554

Re: CC Docket No. 98-147

Dear Ms. Salas:

On June 27, 2000, Bill McNamara, Steve Earnest, and I, representing BellSouth Corporation, met with Margaret Egler of the Common Carrier Bureau's Program and Policy Planning Division and Kent Nilsson of the Office of Engineering and Technology. The purpose of the meeting was to discuss an issue raised already expressed in BellSouth's petition for reconsideration of the Third Report and Order in CC Docket No. 98-147. There BellSouth asserted that Section 51.230 of the Commission's rules will not adequately protect against the risk of significant degradation to the performance of other services when new advanced services loop technology is deployed in the local network.

Elaborating on points made in its petition, the BellSouth representatives noted that BellSouth was particularly troubled by the rule's presumption that successful deployment by any carrier under any circumstances in one area is an adequate predicate for deployment under dissimilar circumstances in another area. Moreover, the longer it would take to discover the source of the problem, the more likely that there would be a large embedded base of the disturber product, which makes its discontinuance extremely difficult. The attached document formed the basis for our presentation.

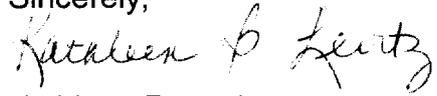
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JUN 28 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In compliance with the Commission's rules, I am filing two copies of this notice and ask that you associate this notification with the proceeding identified above.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen B. Levitz".

Kathleen B. Levitz

Attachment

cc: Margaret Egler (w/o attachment)
Kent Nilsson (w/o attachment)

BELLSOUTH

Spectrum Management

Bill McNamara

BellSouth Telecommunications

Conditions for Acceptability

Third Report and Order, Docket 98-147,
outlined three conditions under which a
technology is presumed to be acceptable for
deployment (para. 195 - 211)

Conditions for Acceptability

- Complies with existing industry standards
- Is approved by an industry standards body, the Commission, or any state commission
- Has been successfully deployed by any carrier without “significantly degrading” the performance of other services

Conditions for Acceptability

- The successful deployment standard does not require new technology to be subjected to any spectral compatibility analysis performed by Working Group T1E1.4

Spectral Compatibility

- Such analyses would take into account the following:
 - Existing DSL products in the same cable (either as disturbers or victims),
 - The random nature of crosstalk coupling,
 - The anticipated maximum number of disturbing systems in the cable,
 - The anticipated maximum loop length over which the victim system will be deployed.

Spectral Compatibility

- It's very unlikely that a 'trial' of a new non-standard technology (necessary to establish that it has been "successfully deployed") would expose the candidate technology to all of the variables used in such analyses.
- Given the limited exposure of a 'trial,' any technology might be considered to be successfully deployed.

Presumption of Acceptability

- There is an avenue to rebut the presumption of acceptability before a state commission (para. 199)
- This assumes, however, that an ILEC is made aware of a CLEC's plan to deploy a specific technology, at a specific data rate, on loops beyond which it is compatible.
- Such data are not being exchanged today.

Presumption of Acceptability

Trouble cases arising from excessive levels of crosstalk noise are very difficult to identify, for two reasons:

- For economic reasons, sophisticated tools necessary to identify excessive crosstalk have not been universally deployed
- The need to resolve a trouble report quickly usually results in the transfer of the circuit to a different cable pair