

1 the cut?
2 A. [MAGUIRE] If I hand a customer over to a
3 CLEC and that CLEC encounters a problem and they
4 want me to bring the customer back, essentially, by
5 me handing the customer over to you, since they're
6 on your network, you're putting them out. So what
7 you're asking for is for me to measure how quickly I
8 restore service to the customer because the CLEC
9 cannot give service to the customer.
10 Q. What about the situations where we back out
11 of the cut? Aren't some of the lines disconnected
12 and it may be your fault because of lack of
13 facilities found out during the cut?
14 A. [MAGUIRE] I can't see that happening,
15 because how would we determine in the middle of a
16 hot cut that there are no facilities? If we have an
17 IDLC hot cut, we're going out on the due date before
18 that. In the middle of a hot cut -- first of all,
19 just by definition, a hot cut is moving the existing
20 loop off of our switch onto your switch. So how do
21 I run out of facilities, except in the case of IDLC?
22 I'm just moving over whatever the customer had from
23 my switch to the CLEC's switch. So I can't think of
24 an instance where I would run out of facilities in

1 hot cuts that's instituted in New York.
2 A. [MAGUIRE] Yes. It's instituted in New York
3 for AT&T.
4 Q. I think we have it, too, WorldCom.
5 A. [MAGUIRE] Yes.
6 Q. And our people like it because before we
7 never heard about IDLC, but now we can ask, "Do you
8 want to tell us something about IDLC?" I'm just
9 worried, with Dexter, would that do away with those
10 morning calls? But we would be dependent on you
11 putting all that information into Dexter.
12 A. [MAGUIRE] It's already there. And Arleen
13 was at the meetings where we went through trials --
14 CHAIRMAN CONNELLY: Arleen is who?
15 WITNESS MAGUIRE: Arleen Ryan, formerly
16 of MCI WorldCom.
17 A. [MAGUIRE] She was there. She saw what it
18 was capable of doing. She was pleased when what it
19 was doing. It essentially eliminates the need for
20 the daily calls, because it gives the information
21 you need at your fingertips, as opposed to in a
22 daily phone call.
23 MS. KINARD: That's all my questions.
24 CHAIRMAN CONNELLY: Thank you. I think

1 the middle of the cut, because the facilities were
2 already there.
3 Q. I know I've been at our facility in Fredrick
4 where they told me right then and there while I was
5 visiting on another issue they were backing out of
6 the cut because Verizon -- now, this was a while
7 ago.
8 CHAIRMAN CONNELLY: Are we dealing with
9 new measures that are not part of this?
10 MS. KINARD: Pardon me?
11 CHAIRMAN CONNELLY: I think we're
12 dealing with new measures that aren't part of what
13 we've been doing here, so I'm not sure of the
14 relevance of this whole line -- or, to use the
15 criteria that we had earlier, its utility to the
16 Department in its consultative role.
17 MS. KINARD: I just was trying to show
18 that they haven't implemented the New York measures
19 that show all of the problems with hot cuts.
20 Q. I have a question about the daily call that
21 was mentioned for New York. I know our people liked
22 the daily call because they can --
23 A. [MAGUIRE] Excuse me?
24 Q. You were talking about the daily call for

1 this lady here had a followup?
2 FURTHER CROSS-EXAMINATION
3 BY MS. LICHTENBERG:
4 Q. Mr. Maguire, one quick question, because I'm
5 sure I misheard. When you were talking about the
6 coding for customer-not-ready --
7 CHAIRMAN CONNELLY: If you're sure you
8 misheard, why are you asking the question?
9 MS. LICHTENBERG: Because it did not
10 make sense to me, so that is why I am asking the
11 question.
12 Q. I thought I heard you say that a technician
13 would use customer-not-ready as the reason for
14 aborting a cut or some reason for not completing the
15 cut for any one of a number of reasons that would
16 not necessarily be the CLEC's fault. Is that what
17 you said?
18 A. [MAGUIRE] No, I don't think so.
19 Q. So customer-not-ready, you have a documented
20 list of the cases in which you would mark the
21 customer-not-ready?
22 A. [MAGUIRE] Maybe I'm confused by the
23 question. When we have a cut that's going to go to
24 completion and for some reason, to use your terms,

1 it has to be aborted, and we believe it's due to the
2 CLEC, that we will ask the CLEC to issue a supp., to
3 push it out. If we find out while we're looking at
4 that future push-out bucket that we did something
5 wrong and it should have been captured as a miss,
6 the WFA log will be noted appropriately, and we'll
7 capture that as a miss, once the order is completed.
8 Q. And in what cases do you use customer-not-
9 ready?
10 A. [MAGUIRE] I don't use a CNR per se. I
11 think that Ms. Canny was talking about orders in
12 general, as I understand it. She wasn't
13 specifically speaking to hot cuts, unless she made a
14 specific reference to hot cuts. So the CNR is not
15 necessarily exclusive. You can't be a CNR and a
16 missed appointment. I think in many cases you can
17 have CNRs or multiple CNRs and still be captured as
18 a miss. That's why I said once a Verizon miss, it's
19 always a Verizon miss. You could have a Verizon
20 miss and then multiple push-outs, which again we
21 euphemistically refer to them as CNRs -- you could
22 have 100 of them where it's constantly pushed out,
23 and as long as that record is noted as such when it
24 comes up to being closed and the order is being

1 completed, we will score that as a miss, because you
2 can have a CNR and a miss.
3 Q. So CNR is a euphemism for one of a number of
4 reasons for pushing out a cut?
5 A. [MAGUIRE] Yes.
6 Q. Thank you.
7 CHAIRMAN CONNELLY: Let me ask you: You
8 had earlier referred to some form 12/31.
9 WITNESS MAGUIRE: It's actually a date,
10 12/31/00.
11 CHAIRMAN CONNELLY: It's a form number?
12 WITNESS MAGUIRE: No, it's December
13 31st. So we push all the orders out to New Year's
14 Eve.
15 CHAIRMAN CONNELLY: Thank you.
16 MS. CARPINO: Ms. Scardino?
17 MS. SCARDINO: I have a followup to Ms.
18 Kinard's questions.
19 CROSS-EXAMINATION
20 BY MS. SCARDINO:
21 Q. Ms. Canny, you testified in your opening
22 statement that whatever metrics are adopted in New
23 York that you would adopt in Massachusetts; is that
24 correct?

1 A. [CANNY] Yes.
2 Q. But then we also heard that in Massachusetts
3 we do not have data for some of the metrics that
4 were adopted in New York some six months ago. Is
5 that correct?
6 A. [CANNY] That's correct. We don't have them
7 for New York, either.
8 MS. SCARDINO: I'd like to ask a record
9 request, for all the measurements that have been
10 adopted in New York that Bell Atlantic will
11 subsequently adopt in Massachusetts and to some
12 extent has already adopted many of those -- when we
13 will see data for Massachusetts on those
14 measurements.
15 CHAIRMAN CONNELLY: So you're asking two
16 questions: identify the measurement, and identify
17 the date on which data will be gathered.
18 MS. SCARDINO: Yes. As part of the New
19 York 271 process Bell Atlantic produced a similar
20 document, and I'd like to request that one be
21 produced for Massachusetts as well.
22 MS. CARPINO: That will be proposed
23 Record Request -- and I need to get back to you with
24 a letter, unless Alan knows it offhand. After the

1 break I'll assign a letter to it.
2 (RECORD REQUEST.)
3 CHAIRMAN CONNELLY: Does anyone else
4 have anything else? The Department?
5 MS. CARPINO: Thank you, Mr. Maguire,
6 Ms. Canny. Let's take a one-hour break for lunch.
7 (Recess taken.)
8 CHAIRMAN CONNELLY: We're back on the
9 record. I guess we're going to hear from American
10 Telephone & Telegraph's witnesses.
11 MS. CARPINO: Mr. Gruber, would you like
12 to introduce your witnesses?
13 MR. GRUBER: Yes. I have with me today
14 Mr. Rob Polete and Mr. Bill Carmody to discuss the
15 UNE-loop hot-cut issue. This is an issue with which
16 Mr. Polete is very familiar. He works in the area.
17 He will explain his qualifications.
18 There is one way in which the OSS
19 systems affect the ability to accomplish hot cuts
20 successfully, and on that issue Mr. Carmody will
21 speak.
22 So what I'd like to do is to let Mr.
23 Polete speak first. Since we don't have a prepared
24 statement per se that he's going to read, there may

1 be an occasion where I'll insert a clarifying
2 question or something like that. But it generally
3 is going to be Mr. Polete talking.
4 ROBERT E. POLETE and
5 WILLIAM B. CARMODY, Witnesses
6 MS. CARPINO: Do you swear or affirm
7 that the testimony you are about to give will be the
8 whole truth?
9 THE WITNESSES: Yes, I do.
10 MS. CARPINO: Do you further adopt
11 statements either you made or that were made on
12 behalf of your company last fall in this proceeding
13 before this Department?
14 THE WITNESSES: I do.
15 MS. CARPINO: Thank you. You may be
16 seated. Mr. Polete?
17 WITNESS POLETE: My name is Robert
18 Polete. I'm the division manager for AT&T Local
19 Network Services. I have responsibility for the
20 provisioning center in Orlando, Florida that is
21 currently the center where we are provisioning
22 install-business customers using unbundled-network-
23 element loops with Verizon. The purpose of my
24 testimony today is to discuss concerns AT&T has

1 about the self-reported scoring of hot-cut
2 performance from Verizon since July of 1999.
3 The concerns that we have regarding the
4 information, in taking a look at 640 orders that
5 were delivered to us in mid-July and evaluating the
6 disposition of those orders based upon AT&T's
7 records, we found that 36 of those orders were
8 scored incorrectly. That's a conservative estimate,
9 based upon an evaluation that we did that only
10 looked at those orders and scored them as misses if
11 we had undisputed proof within our log records that
12 they were indeed missed due to Verizon reasons. We
13 have reason to believe that if we had the
14 opportunity to do a joint review with Verizon and
15 compare log notes we would find that there are other
16 orders in that grouping that would also be coded as
17 misses with Verizon.
18 MS. CARPINO: Mr. Polete, do you know
19 how quickly you might be able to provide the
20 Department with that documentation for those 36 in
21 the next few days?
22 WITNESS POLETE: We ought to be able to
23 provide it by the end of the week, I would think.
24 MR. GRUBER: Certainly by the end of the

1 week. I just have to look and see how it's been
2 stored.
3 MS. CARPINO: If possible, could you
4 report back to us tomorrow?
5 MR. GRUBER: I can do that.
6 MS. CARPINO: Thank you.
7 I'm sorry, Mr. Polete.
8 WITNESS POLETE: As illustration of some
9 of the things that we found in our analysis in the
10 July 18th filing that we made, there was a
11 description of several orders in this time period
12 where AT&T found information in its log records that
13 indicated orders that had been scored as made on
14 time from the Verizon information, indeed we viewed
15 as being missed for Verizon reasons.
16 CHAIRMAN CONNELLY: 36 out of the total?
17 WITNESS POLETE: There was a total of
18 640 orders in the universe that was looked at.
19 There were 220 of those that we could not determine
20 based upon information within our records, but we
21 had indications that there were problems on the
22 Verizon side. We just didn't have definitive
23 records of what the issues were. So we did not
24 count those as misses.

1 CHAIRMAN CONNELLY: So 36 out of 640,
2 you said?
3 WITNESS POLETE: 36 out of 640.
4 CHAIRMAN CONNELLY: And 220 including
5 the 36 possibles, or --
6 WITNESS POLETE: 220 possibles excluding
7 the 36. The 36 were definite ones that we had
8 information indicating problems.
9 CHAIRMAN CONNELLY: Thank you.
10 WITNESS POLETE: Mr. Maguire mentioned
11 earlier in his testimony that we've been engaged
12 since January of this year in business-to-business
13 cooperation in trying to improve the performance of
14 the hot-cut process. I want to acknowledge that
15 that effort has indeed resulted in improvement.
16 However, there are several issues that are still
17 outstanding that present significant customer
18 dissatisfaction for AT&T in providing service to its
19 business customers.
20 The first one that I'd like to point out
21 is really a situation where, if we don't get a good
22 confirmation back, a timely confirmation back, from
23 Verizon, the basis on which to measure whether an
24 order is missed or made falls into question. The

1 commitment that Verizon has is to measure itself
2 against the date that it confirms. If we don't get
3 a timely confirmation, then we have a hard time
4 basing whether or not Verizon's performance is
5 meeting expectations or not. To that end there's
6 been a series of problems over the last nine months
7 or so in which the electronic order interface
8 between AT&T and Verizon has encountered problems.
9 We would transmit an order, and Verizon or Bell
10 Atlantic would acknowledge that they'd received that
11 order. In many cases the order was presented to the
12 agents within Bell Atlantic and order processing had
13 begun within their internal provisioning process,
14 but because of a problem in the electronic order
15 interface we did not receive that confirmation back
16 electronically.

17 There are various steps that an order
18 goes through in this electronic order interface.
19 Step 100 is the step in which the order is confirmed
20 back to the CLEC. In a period of time in December
21 and January of -- December of last year and January
22 of this year, and most recently in July of this
23 year, we experienced significant difficulty in that
24 the Verizon system was not sending those

1 confirmations back across the interface. What that
2 resulted in was, we did not receive confirmations.
3 Verizon had the order; they believed they had issued
4 the confirmation to us. We were processing the
5 order through their provisioning process, and we did
6 not find out about that confirmation until either we
7 made a phone call to find out why confirmation was
8 late, or in many cases we found out when we were
9 called to notify us that they were ready to do the
10 hot cut.

11 That creates several problems for us.
12 Based on the confirmation we get back from Verizon,
13 we notify our customers as to when they should
14 expect the hot cut to occur. If we don't get that
15 in a timely fashion, we cannot confirm that with our
16 customer; and particularly if the confirmation -- or
17 if we're notified on the date of the hot cut that
18 it's imminent, we take an extraordinary effort to go
19 and notify our customer to verify that that would be
20 a good time for them to go through the conversion.
21 Many times that results in a customer saying, "No,
22 you didn't provide me enough notice," and we then
23 have to cancel that hot cut at that time and
24 reschedule, which means that gets scored as a

1 customer-not-ready in the Verizon tracking of that
2 order. We are then forced to supp. that order for a
3 new due date and the clock starts all over again.
4 That creates a significant problem for us, and one
5 which we believe is caused by a Verizon system-
6 interface problem and should be counted as a miss
7 from their perspective.

8 MR. GRUBER: I think at this time it
9 might be useful for Mr. Carmody to explain the
10 interface problem in a little more detail.

11 MS. CARPINO: Mr. Carmody?

12 WITNESS CARMODY: During the period that
13 Mr. Polete is referencing, 70 to 80 percent of the
14 orders that AT&T was issuing through our EDI
15 interface were not getting timely confirmations
16 back. This took several escalation calls on my
17 part, part of my boss, to get the focus from Bell
18 Atlantic on the problem and then get the problem
19 fixed. It caused a lot of effort on AT&T's part to
20 go on twice-a-day calls and try to isolate the
21 problem with Bell Atlantic, and in fact that turned
22 out to be Bell Atlantic's problem.

23 MR. GRUBER: Is this a recurring
24 problem, Mr. Carmody?

1 WITNESS CARMODY: This is a problem that
2 has occurred, as Mr. Polete had remarked before,
3 early in the year. Up until the March time frame it
4 was a recurring problem. We thought we had it
5 licked, and then in July we had this reoccurrence,
6 for that period, eight to nine consecutive days, we
7 were effectively not receiving confirmations on
8 time.

9 MR. GRUBER: Thank you, Mr. Carmody.
10 Mr. Polete?

11 WITNESS POLETE: As referenced in Mr.
12 Maguire's testimony, the need for cable-and-pair
13 information on the confirmation: This is also an
14 item that had been brought up through our business-
15 to-business discussions, and one that we thought had
16 been resolved with a change request that was issued
17 in December of 1999, in which at that time Bell
18 Atlantic agreed to begin to identify cable-and-pair
19 assignments on the confirmations.

20 The reason this is important is that
21 we've experienced situations where incorrect cable
22 assignments have been put on the Bell Atlantic/
23 Verizon loop order, passed down to the frame
24 technician, who then finds out that there's no dial

1 tone at the day of cut or due date minus two. When
2 we are notified of that at the due-date-minus-two
3 point in the order, we do take extra efforts to try
4 and identify was it a mistake that we had made or is
5 there a miscommunication or a mistake that the frame
6 technician had made?

7 Many times that results in us needing to
8 schedule a vendor meet. It's not always possible to
9 get that completed in the two-day period that we
10 have available to us between the time we're notified
11 and the time that the cut is scheduled.

12 CHAIRMAN CONNELLY: What does "not
13 always" mean?

14 WITNESS POLETE: What does "not always"
15 mean? It's going to depend upon the workload of
16 both the Bell Atlantic and the AT&T technicians that
17 are there and when we can schedule time for them
18 both to be at the same place to verify that the dial
19 tone is where it's supposed to be.

20 There's a step that takes place prior to
21 scheduling that vendor meet, and that is, we go
22 through and we make sure that we didn't make a
23 mistake in the cable assignment that we sent across
24 on the order, that our switch translations have been

1 EXAMINATION

2 BY MR. GRUBER:

3 Q. You heard Mr. Maguire talk about the ACTL
4 being provided. Can you explain?

5 A. [POLETE] ACTL is a code -- it's an
6 industry-established code assigned by Verizon at the
7 time that we request collocation in their central
8 office. What it describes is the physical space
9 that a CLEC occupies in that central office, as a
10 way of identifying it. It's like the town name on
11 the address of a street address.

12 Cable ID is more specific to a
13 particular cable, and there are multiple cables that
14 are terminated within that physical space within the
15 ACTL. Cable ID is more like the street address, or
16 the street name of the cable in that particular
17 physical space. And then there are pairs of wires
18 on each individual cable. So, in order to make sure
19 that we're assigning to the right cable, we have to
20 have not only the cable ID, but also the pair
21 assignment for that particular cable. There are
22 examples that we've had no-dial-tone issues
23 identified as technicians on the wrong cable but on
24 the right pair on that cable. So it's like being on

1 built and are assigned to the cable that we've
2 identified on the order. And after all of that's
3 done, then, if need be, we schedule a vendor meet.

4 The delay that that creates is, if we
5 can't get that vendor meet scheduled within that
6 two-day period of time, then that order gets coded
7 as a customer-not-ready, no dial tone, and gets
8 supp.ed out to another date, after we can resolve
9 whatever the problem is.

10 Analyses that we've completed on orders
11 between May and July, that time frame, indicate that
12 we have, out of 268 orders, I believe, we've
13 identified 28 of those that were Bell Atlantic no-
14 dial-tone-coded orders, customer not ready, that
15 Bell Atlantic has agreed are their issues, that they
16 should have responded to in a different way.

17 Now, I don't know how that's gotten
18 reflected back into their measurements for that
19 period of time, and Mr. Maguire mentioned earlier
20 that we've never asked for that to be included. I
21 take exception to that. I don't think we should
22 have to ask for errors in coding on orders to be
23 reflected in the measurements that they produce. I
24 think they ought to be correcting those themselves.

1 the wrong street but at the right house number.
2 That's really the issue with cable ID and pair
3 assignments needing to be reflected back on the LSRC
4 so that we can verify that the cable and pair are
5 the ones that we assigned when we sent the order
6 across. Otherwise our dial tone's going to be
7 someplace else in that similar physical space in the
8 central office and the technician is not going to
9 find it. That results in a no-dial-tone situation,
10 which is coded as customer not ready, and not
11 counted in the Bell Atlantic results.

12 Also related to that are instances where
13 we send across cable assignments on an order and in
14 the Bell Atlantic database that keeps track of
15 assignments for those cables and pairs they show
16 that particular pair busy.

17 Q. Can you explain what that means?

18 A. [POLETE] That means that Verizon is showing
19 a telephone number assigned to the pair that we are
20 now trying to provision that new service on. In
21 some cases that is a result of errors in AT&T's
22 inventory of cables and pairs, and in many instances
23 it also is reflective of errors in the Bell Atlantic
24 inventory, as a result of canceled orders that had

1 assignments against them not being canceled or taken
2 out of the database or as a result of disconnects
3 not being worked or not being removed from the
4 database. The Dexter system that Mr. Maguire
5 referred to earlier was demonstrated in April at the
6 industry meeting as a vehicle to be able to clarify
7 CFA assignments and be able to identify where we had
8 this mismatch of data in our systems.

9 The IDLC discussion that we had earlier:
10 IDLC continues to be an issue in provisioning
11 service for AT&T. It has gotten better, but it
12 still presents a difficulty, particularly that IDLC
13 is identified late in the provisioning process. As
14 I said earlier, when we get a confirmation back from
15 Verizon, we use that date to communicate with our
16 customer when the service will be converted over.
17 When an order is identified as being on IDLC, if
18 there are no copper facilities or UDLC facilities
19 available to provision that service, that order
20 typically is held and goes past due because the
21 facilities cannot be made available in the time
22 frame that was confirmed back to us.

23 The only vehicle we have today for
24 communicating that change in expected completion is

1 a telephone call between the Verizon agent and the
2 AT&T provisioning agent. What we need is a more
3 robust vehicle to communicate changes that are
4 driven by difficulties that Verizon has in
5 provisioning or meeting a commitment that they've
6 made and being able to track that through some
7 electronic order interchange, so that we can verify
8 that indeed we did get a new confirmation and the
9 reason for that confirmation.

10 The last item that we've talked about in
11 our ongoing discussions with Verizon is the need to
12 have better end-to-end coordination. This has
13 gotten better, in that we do now have daily
14 interchange of orders that were missed the previous
15 day, in an effort to reconcile what caused those
16 orders to be missed. However, we still are
17 experiencing difficulties where AT&T is expected to
18 be the intermediary between different organizations
19 within Verizon, to try and identify when an order
20 goes from one stage in their process to the next, or
21 if it gets stuck in one particular step in their
22 process and how we get that loose and get it moving
23 again. We're still being asked to play too much of
24 an intermediary between the TISOC, the engineering

1 group, and the RCCC.

2 I think for all these reasons and
3 particularly for the concern we have about how
4 orders are coded customer not ready and whether they
5 are coded appropriately or not, we do need to spend
6 more time in looking at reconciliation between how
7 Bell Atlantic is coding particular orders and how
8 the CLEC industry partners are coding those orders
9 and try to reconcile what is the true reason for the
10 miss of a particular order. I think the effort
11 there to identify what is the true root cause for
12 those misses would give this Department as well as
13 the industry the ability to understand the true
14 performance that is being delivered by Verizon in
15 this hot-cut process.

16 Q. Mr. Polete, I'm just going to ask you a
17 couple of questions regarding the August 4th filing
18 of Bell Atlantic, since AT&T has not had an
19 opportunity to respond. I think you've covered some
20 of these, but just to make sure. On Paragraph 79 of
21 the August 4th filing of Bell Atlantic or Verizon,
22 Verizon states that it never asks a CLEC to supp. an
23 order. Do you agree with that, sir?

24 A. [POLETE] No, I don't. It primarily focuses

1 around these orders that are being coded as
2 customer-not-ready, where we don't necessarily agree
3 on the reason for that. Once an order goes
4 customer-not-ready, in order for us to get it moving
5 again, we are asked to supp. that order out for a
6 new date, and we work to resolve whatever the reason
7 was that caused it to go customer-not-ready. If
8 that turns out to happen to be a reason that I
9 described earlier, where there was an error on the
10 order that went to the frame technician in Verizon
11 or if there was a vendor meet required and that
12 turned out to be a no-dial-tone issue that really
13 was not a no-dial-tone issue but a mistake on the
14 frame technician's part, in order to get that order
15 moving again, we've been asked to supp. those orders
16 out and reschedule them. So I don't agree with that
17 statement.

18 Q. I'm referring to the checklist affidavit
19 among the supplemental materials that were filed on
20 August 4th. In Paragraph 77 it states there that --
21 to the effect that AT&T never raised our concerns,
22 or AT&T's concerns, regarding miscounts of hot-cut
23 performance in the weekly sessions. I think there's
24 another reference to that on Paragraph 81 and

1 Exhibit N. Do you agree with that, sir?
2 A. [POLETE] No, I don't. In our weekly calls,
3 starting in May, we started to receive information
4 from Verizon for reasons for hot-cut misses. When
5 we saw the large number of customer-not-readies that
6 were being coded by Verizon, we started to question
7 what was causing those. In the months since we
8 started getting that information, we initiated an
9 effort to understand why orders that were coded
10 customer not ready were indeed coded that way.
11 We've exchanged information regarding that. The
12 information that we've exchanged has uncovered
13 several instances where Verizon had coded an order
14 customer not ready that should not have been coded
15 that way.
16 Q. Referring you to Paragraph 84 of the August
17 4th supplemental checklist affidavit: There's a
18 statement to the effect that AT&T never claimed that
19 receipt of the ACTL rather than the CFA information
20 was adversely affecting AT&T's ability to
21 successfully complete hot cuts. Do you agree with
22 that?
23 A. [POLETE] No, I don't. Part of the
24 change-control effort that was initiated back in

1 1999 around this, and ultimately agreed to by Bell
2 Atlantic in December, was initiated as part of the
3 industry change-control process that Bell Atlantic
4 has in place, and we were part of that effort, and
5 it acknowledged that this was indeed a problem and
6 something that we needed to have resolved.
7 Q. Finally, Mr. Polete, on Paragraph 91 of the
8 supplemental checklist affidavit, there's a
9 reference to a particular PON -- I'll read it into
10 the record -- BOSY 9901664, and there's a statement
11 in the affidavit saying that an AT&T Denver person
12 told a Verizon person that the problem was an AT&T
13 equipment problem, not a Verizon problem. Can you
14 address that, sir?
15 A. [POLETE] Our records on this particular
16 order indicate that the customer was requesting
17 what's called a partial port. That means the
18 customer had multiple lines in service with Bell
19 Atlantic at the time and was requesting all but two
20 of their lines be ported. When we sent the order
21 across reflecting the lines that the customer wanted
22 ported, we were queried back by Bell Atlantic,
23 indicating that we were missing lines on the order.
24 We clarified that back with them, indicating that

1 the customer did not want the lines that were
2 missing from the order ported, and it was queried
3 back to us again, indicating that there were missing
4 telephone numbers on the order.
5 We supp.ed the order again and verified
6 in the remarks that the two lines were not to be
7 ported because the customer didn't request them to.
8 We were then queried back, waiting for cable-and-
9 pair assignment for the two lines that were not to
10 be ported. We again supp.ed the order -- because
11 every time an order is queried back, it hasn't
12 actually begun the process into Bell Atlantic and we
13 have to continue to sent a new transaction across.
14 We again supp.ed the order to let them
15 know that the two lines were not to be. The order
16 finally did go through. If I'm reading this
17 correctly -- well, I don't know from this
18 information in front of me whether the two lines
19 were actually ported. But at the time of the port
20 there was a trouble ticket opened, and I don't know
21 what the purpose of that trouble ticket was. I'll
22 have to find out. The trouble ticket was related to
23 another problem, but there was a problem on the
24 lines that were originally cut, indicating that the

1 customer couldn't receive local calls. Typically
2 that's a situation where the ten-digit trigger in
3 the switch in Bell Atlantic had not been set in a
4 timely manner. That seems to be unrelated to the
5 issue we had getting the order into the process.
6 Q. Is that an issue or a set of facts over
7 which Bell Atlantic has some responsibility?
8 A. [POLETE] Yes. Part of the hot-cut process
9 is to make sure ten-digit triggers are set in
10 advance of the port, so that calls coming in to that
11 customer can be routed to the correct CLEC and calls
12 would then be completed appropriately.
13 Q. How long did it take between the time that
14 AT&T first sent the LSR until the time that the
15 trouble ticket on the order was closed and the
16 customer was in service?
17 A. [POLETE] The original request was sent on
18 August 20th, with a requested due date of August
19 27th, and the trouble ticket was closed on October
20 22nd of 1999.
21 Q. Now, you stated that the order never made it
22 into Bell Atlantic's systems. Can you explain what
23 that means in terms of how it's captured in the
24 performance metrics?

1 A. [POLETE] Well, the performance metrics
2 start where the confirmation is confirmed back to
3 the CLEC. It took from August 20th until it looks
4 like September 2nd for us to receive a confirmation
5 on this particular order.
6 Q. And how long until the order was worked and
7 trouble-free?
8 A. [POLETE] October 22nd.
9 Q. Sir, would an ongoing data reconciliation
10 solve the problem of making sure that the
11 performance measures measure this kind of event?
12 A. [POLETE] I believe it would, because our
13 logs would have indicated the number of times that
14 an order was sent and supp.ed and rejected and the
15 reasons for those rejects. I don't know what the
16 Verizon log information would indicate regarding
17 this, but this would certainly be an opportunity for
18 us to reconcile when did the order get originally
19 sent and what was the reason for the delay in
20 getting the order processed.
21 MR. GRUBER: Thank you. That's our
22 opening.
23 MS. CARPINO: Mr. Carmody, do you have
24 anything further?

1 WITNESS CARMODY: Nothing further.
2 MS. CARPINO: Ms. Reed, do you have any
3 questions?
4 MS. REED: Thank you.
5 CROSS-EXAMINATION
6 BY MS. REED:
7 Q. I wanted to go back to the statistic that
8 you quoted earlier, of 36 orders not properly coded
9 out of 640. What time frame does that cover?
10 A. [POLETE] It covers July of 1999 through
11 February of 2000.
12 Q. Have you made that same type of data
13 analysis subsequent to February, 2000?
14 A. [POLETE] No, we haven't. The 640 orders
15 were part of the self-reported data that Bell
16 Atlantic had filed in their affidavits here before
17 this Department.
18 MR. GRUBER: Those were the May 26, 2000
19 affidavits.
20 CHAIRMAN CONNELLY: Excuse me?
21 MR. GRUBER: The dates of those
22 affidavits were May 26, 2000.
23 CHAIRMAN CONNELLY: Thank you.
24 MR. GRUBER: For the record.

1 A. [POLETE] We received the Bell Atlantic
2 disposition of those orders in mid-July. So we had
3 approximately three weeks to go through those 640
4 orders before we filed testimony here before this
5 Department.
6 Q. So that was mid-July of this year.
7 A. [POLETE] Correct.
8 Q. Is this information, the 36 out of 640,
9 contained in either your July 18th comments or your
10 August 18th supplemental comments?
11 A. [POLETE] I'm told August 18th.
12 MR. ISENBERG: On Page 7 of those
13 comments, in that first full paragraph, it talks
14 about 32 hot cuts. Your testimony now is 36?
15 WITNESS POLETE: 32 is the correct
16 number. I misquoted it.
17 CHAIRMAN CONNELLY: So 32 out of 640,
18 and your testimony further was 220 others that you
19 have some question about?
20 WITNESS POLETE: Correct.
21 CHAIRMAN CONNELLY: And that was the
22 period when?
23 WITNESS POLETE: July, 1999, through
24 February, 2000.

1 CHAIRMAN CONNELLY: And were the orders
2 that you were processing, to your knowledge, were
3 similar orders being processed by other companies?
4 WITNESS POLETE: Yes.
5 CHAIRMAN CONNELLY: Do you have any
6 sense, out of this universe or this class of 640 for
7 all orders, what subclass that might be?
8 WITNESS POLETE: No, I don't.
9 MR. ROWE: May I ask a question of
10 clarification? The 36 you referred to earlier I
11 thought was for the entire six-month period from
12 July to February. The reference made on Page 7
13 seems to be 32 in July. I want to understand: Was
14 the 36 the entire category from July to February?
15 MR. BEAUSEJOUR: Also note that Page 7
16 it's given as an example, not necessarily what
17 actually occurred during that period. It's a
18 hypothetical posed by AT&T.
19 WITNESS POLETE: My understanding --
20 MR. GRUBER: Could you hold on for a
21 minute? I think I can clarify this.
22 CHAIRMAN CONNELLY: The question was to
23 the witness. If the witness has anything to add, he
24 can add it. Do these numbers need to be reconciled?

1 Is there some error that you can point to, or --
2 WITNESS POLETE: My understanding of
3 this, and I could stand corrected, is that the 32
4 was for the entire period of time July through
5 February and that the 220, also of that same time
6 period, were some ones that we had some questions
7 about but were not able to verify whether it was
8 indeed a Verizon-caused miss or not.
9 36: I was right the first time. So what
10 are these?
11 MR. GRUBER: It's a hypothetical, as
12 counsel for Bell Atlantic pointed out.
13 WITNESS POLETE: So I was right the
14 first time.
15 CHAIRMAN CONNELLY: So what's the
16 number?
17 WITNESS POLETE: 36.
18 CHAIRMAN CONNELLY: Out of 640?
19 WITNESS POLETE: Out of 640.
20 CHAIRMAN CONNELLY: For that period,
21 again?
22 WITNESS POLETE: Yes, for the same
23 period of time.
24 CHAIRMAN CONNELLY: And that period is?

1 WITNESS POLETE: July of 1999 through
2 February of 2000.
3 CHAIRMAN CONNELLY: July 1?
4 WITNESS POLETE: The entire month of
5 July through the entire month of February, yes.
6 CHAIRMAN CONNELLY: Thank you.
7 MS. CARPINO: Ms. Reed?
8 MS. REED: I have nothing further.
9 Thank you.
10 MS. CARPINO: Verizon?
11 CROSS-EXAMINATION
12 BY MR. ROWE:
13 Q. Two types of clarification. With respect to
14 the 220 that you referred to, does that correspond
15 to your testimony on Page 8, last paragraph, where
16 you say there was a likelihood the transaction was
17 missed?
18 MR. GRUBER: Can you give us the line?
19 MR. ROWE: It's the fourth line down.
20 Q. You now have a group of 36 and a group of
21 220. I want to make sure that the 220 corresponds
22 to the likelihood of a miss. I want to have the
23 whole universe understood here.
24 A. [POLETE] The 36 referred to those that were

1 scored as a miss only when the data was absolutely
2 clear and unambiguous. The 220 referred to cases
3 where records were unclear, and we scored those as
4 met, even though there was a likelihood that the
5 transaction was a miss. Those are the 220.
6 Q. And just a further point of clarification:
7 At Pages 12 and 13 you go on to a number of examples
8 of what could happen to a hot cut.
9 A. [POLETE] Yes.
10 Q. In the category of 36 or in the category of
11 220, you actually have PONs where this did happen,
12 that you could identify? Or are these
13 hypotheticals, also?
14 A. [POLETE] I know that all of these examples
15 have happened. Whether they are in the group of
16 640, I can't say that for sure.
17 Q. So we don't know whether there's a PON that
18 corresponds to this in the six-month period.
19 A. [POLETE] Correct.
20 Q. And specifically with reference to the
21 example that says, "The technicians call in sick en
22 masse" --
23 CHAIRMAN CONNELLY: What page are you
24 on?

1 MR. ROWE: That's the bottom of Page 12.
2 CHAIRMAN CONNELLY: Of which document?
3 MR. ROWE: It's the AT&T supplemental
4 testimony of the 18th.
5 Q. Is there a specific period in mind for that
6 statement?
7 A. [POLETE] I don't think it says en masse.
8 We have had instances where there have been orders
9 that have gone past due because technicians were not
10 available to do the work, and we've been given
11 examples at the time of the miss that indicated that
12 the technicians were out sick.
13 Q. And are there specific PONs that correlate
14 to that statement in your six-month study group?
15 A. [POLETE] I don't know.
16 MR. ROWE: That's all I have.
17 EXAMINATION
18 BY MR. ISENBERG:
19 Q. Just a couple of questions. Earlier Mr.
20 Maguire testified that no CLECs provided any input
21 based on information that was contained in the WFA
22 logs concerning Bell Atlantic's scoring. Do you
23 have a response to that statement?
24 A. [POLETE] We don't have access to their WFA

1 logs, but we have provided them with feedback on
2 orders that have been coded customer not ready that
3 we believe should not have been.
4 Q. There's a reference to a Step 100 in the
5 supplemental comments, the August 18th AT&T
6 supplemental comments.
7 A. [POLETE] Which page?
8 Q. Page 16, middle paragraph.
9 A. [POLETE] Okay.
10 Q. Do you know whether KPMG in their OSS
11 testing has tested -- or has taken into account Step
12 100 as far as the tests?
13 A. [POLETE] No, I don't know.
14 Q. You mentioned that CLECs don't have access
15 to the WFA logs. What types of information do CLECs
16 have access to besides the WFA logs for purposes of
17 determining whether Bell Atlantic has correctly
18 scored the transaction?
19 A. [POLETE] The only information that I'm
20 aware of that AT&T has is the weekly exchange of
21 information that we've worked out through our
22 business-to-business relationships since the first
23 of the year, and I don't have any other source of
24 data to go on from Bell Atlantic, or from Verizon.

1 Q. And based on that information AT&T can
2 determine whether Bell Atlantic has correctly scored
3 the transaction?
4 A. [POLETE] What we can determine is whether
5 we agree with the way that they've scored it. We
6 then have to enter into a dialogue about why they
7 scored it one way and we show it scored a different
8 way.
9 Q. Has AT&T entered into these dialogues in the
10 past with Verizon?
11 A. [POLETE] We have. There's been exchanges
12 of information on a daily basis about orders missed
13 the previous day, and there's information about the
14 orders that were scored customer not ready since the
15 middle of May -- May 12th, I believe -- that we've
16 exchanged with Verizon in order to have this
17 dialogue and reconcile what the true nature of the
18 miss was for those orders.
19 Q. In what form are these conversations held?
20 A. [POLETE] Exchange of spreadsheets with
21 information about how each company has seen --
22 what's transpired with that order, and our weekly
23 conference calls.
24 Q. Are these the weekly conference calls that

1 are transcribed in the issues register/commitment
2 log?
3 A. [POLETE] I wouldn't necessarily call it
4 "transcribed." Commitments and issues are recorded
5 in this log as a result of those calls; that's
6 correct.
7 MR. GRUBER: Mr. Isenberg, can I ask a
8 clarifying question?
9 MR. ISENBERG: Sure.
10 MR. GRUBER: Can you explain, Mr.
11 Polete, the purpose for these regular conversations
12 you're having and how they relate to the data
13 reconciliation you've raised with the Department?
14 WITNESS POLETE: They were initiated at
15 AT&T's request in January of this year, as an
16 attempt to try and improve the performance of the
17 hot-cut process between AT&T and Verizon. It
18 resulted in several exchanges of Verizon and AT&T
19 employees visiting various work centers, identifying
20 the list of issues, and then on a weekly basis
21 updating each other as to what's transpired around
22 each of the issues. There are owners identified for
23 both AT&T and Verizon, and there are issues and
24 commitments assigned to various owners for each of

1 those. Some of the issues are AT&T's to work; some
2 of the issues are Verizon's to work.
3 Over the course of the last several
4 months, a number of the issues have either been
5 closed or parked, "parked" meaning we're either
6 awaiting some future activity to take place or we
7 believe that sufficient progress has been made on
8 those that we just want to monitor the performance
9 at this point in time. There are others that I
10 highlighted in my testimony that are still open that
11 we still need to get resolved.
12 MR. GRUBER: Did it appear that the
13 purpose of that conversation between the two
14 companies as to the data reconciliation, you're
15 recommending that the Department require here?
16 WITNESS POLETE: It was never AT&T's
17 intention that the dialogue that we were engaged
18 with Verizon was going to in any way be directly
19 impacting on the results that they report, other
20 than to improve the process. I mean, the whole goal
21 was to try and remove barriers and identify what
22 could be done to improve the process in both
23 companies. It was never intended to be a results-
24 reporting mechanism or a mechanism to produce

1 results that could be used for reporting of
2 performance.
3 MR. ROWE: I have a followup question to
4 that. Do you agree with Mr. Maguire that you've
5 received weekly reports for four weeks in May, four
6 weeks in June, and four weeks in July?
7 WITNESS POLETE: Right, and that's filed
8 in your Attachment N.
9 MR. ROWE: And that provides on an
10 operations-to-operations basis a list of orders met,
11 a list of orders missed, CNRs, cancellations,
12 others?
13 WITNESS POLETE: Right.
14 MR. ROWE: You've mentioned twice now
15 that you've indicated you had questions about
16 several of the CNRs. In the 12 weeks of data did
17 you at any point indicate a question as to orders
18 that Bell Atlantic had marked made?
19 CHAIRMAN CONNELLY: You mean during the
20 12-week period itself?
21 MR. ROWE: Yes, week by week, at any
22 point in time, operation to operation.
23 WITNESS POLETE: We weren't focused on
24 that, and that wasn't part of the report that was

1 sent to us, so no, I can't say that I have. We were
2 focused on the orders missed.
3 MR. ROWE: Thank you.
4 BY MR. ISENBERG:
5 Q. And during this process did AT&T ever
6 request Bell Atlantic to rescore a transaction?
7 A. [POLETE] We have orders that are in
8 dispute, and we have orders that Bell Atlantic has
9 agreed were coded incorrectly. But I don't know how
10 that was translated into any of the metrics results
11 that they reported out externally.
12 Q. So you don't know whether Bell Atlantic has
13 ever rescored a metric based on AT&T's input?
14 A. [POLETE] I'm not aware that they have.
15 MS. CARPINO: Mr. Simon?
16 EXAMINATION
17 BY MR. SIMON:
18 Q. Can we go back to the Bell Atlantic
19 supplemental checklist affidavit, Paragraph 91.
20 This is in reference to the PON BOSY 9901664. You
21 discussed, I guess, the life cycle of that PON.
22 A. [POLETE] Correct.
23 Q. Number of resubmissions. At any time did
24 AT&T escalate that order by phone call to Bell

1 Atlantic, or was it simply an electronic
2 resubmission of that order?
3 A. [POLETE] I don't know without going in and
4 looking at the detailed log, and I don't have that
5 with me.
6 Q. And I believe you testified that an ongoing
7 reconciliation would have resolved this issue within
8 the performance metrics?
9 A. [POLETE] Yes.
10 Q. Do you also believe that if the weekly
11 interchange of data or the weekly exchange of data
12 had been going on at this time that this PON may
13 have been resolved much more easily?
14 A. [POLETE] Yes, I do.
15 MR. SIMON: Thank you. That's all I
16 have.
17 MS. CARPINO: Mr. Gruber, I believe you
18 wanted to have us mark this document that you've
19 handed copies to the Bench, AT&T-Bell Atlantic
20 Issues Register/Commitment Log, Last Update 7/26.
21 CHAIRMAN CONNELLY: It's about 86 pages.
22 MS. CARPINO: That will be Exhibit 12.
23 (Exhibit 12 marked for identification.)
24 MS. CARPINO: The record request

1 proposed by Ms. Scardino will be Record Request I.
2 MS. CARPINO: Ms. Reed?
3 MS. REED: The document that was just
4 marked, is that a public document or is it
5 proprietary?
6 MR. GRUBER: AT&T has filed that
7 requesting proprietary treatment. It has
8 communications between Verizon and AT&T which
9 cumulatively are sensitive. No one particular entry
10 item is necessarily a problem, which is why the
11 witnesses could speak about them today. And
12 certainly before we spoke with Verizon, we didn't
13 think it was appropriate to handle it any other way.
14 CHAIRMAN CONNELLY: So is this the first
15 time we've seen this, when you handed it to us at
16 noontime?
17 MR. GRUBER: Yes, I have.
18 CHAIRMAN CONNELLY: And am I to
19 understand that that request is made pursuant to
20 Chapter 25, Section 5D, for nondisclosure treatment
21 under the public-records law?
22 MR. GRUBER: Yes, it is, and it's a
23 further motion under the protective order in this
24 case asking for a further level of protection, that

1 it not be disclosed to the other participants in the
2 case other than Verizon.
3 MS. CARPINO: Could you please file a
4 motion to that effect?
5 MR. GRUBER: Certainly.
6 CHAIRMAN CONNELLY: And the presumption
7 under Section 5D is in favor of disclosure, so you
8 have to negate that presumption.
9 MR. GRUBER: I understand the law,
10 Commissioner.
11 CHAIRMAN CONNELLY: Okay. But you
12 haven't done so today merely by what you've said, is
13 what I'm trying to relate.
14 MR. GRUBER: I have not.
15 MS. REED: Following up on that: Is
16 there any portion of today's transcript that should
17 be considered proprietary?
18 MR. GRUBER: No.
19 MS. REED: Thank you. Nothing else.
20 MS. CARPINO: The Bench has no further
21 questions. Thank you, gentlemen. I don't believe
22 we have any other CLEC witnesses.
23 MR. BEAUSEJOUR: Ms. Carpino, we have
24 Mr. Maguire here. Could he be asked to respond to a

1 number of the statements that Mr. Polete gave this
2 afternoon?
3 MR. ROWE: It may be more efficient --
4 are there any other CLEC witnesses?
5 MS. CARPINO: No, there are none.
6 MS. CARPINO: That's fine.
7 WITNESS MAGUIRE: Thank you very much.
8 I just wrote a couple of notes down. These are not
9 in any particular order.
10 Mr. Polete spoke about the no-dial-tone
11 condition, and I think he referenced it specifically
12 to the ACTL. AT&T and Verizon have struggled for
13 some time to try to figure out what is driving the
14 fairly high number of no-dial-tone conditions that
15 we've identified through the course of the last
16 probably two years. One of the efforts that I
17 offered to go through was have our frame technicians
18 call live into Denver, at the time AT&T's main
19 provisioning center, so we can give them no-dial-
20 tone identification immediately, to find out what,
21 if anything, was driving this. The trial was
22 initially supposed to last two weeks. The trial was
23 pulled after one week, after it became very apparent
24 that AT&T was behind all of the dial-tone

1 situations, I think perhaps except for one. And it
2 was probably like one out of 100, if I remember.
3 MR. BEAUSEJOUR: When did that occur?
4 WITNESS MAGUIRE: That was December of
5 1999. AT&T's former witness, Jack Meek, discussed
6 it during the December CLEC-to-CLEC industry meeting
7 that was attended by Geoff May.
8 MR. ROWE: And when you say no dial
9 tone, what are you referring to, whose dial tone?
10 WITNESS MAGUIRE: AT&T dial tone at the
11 CFA.
12 Now, realizing that no dial tone could
13 be a problem with some of the CLECs, some of the
14 companies have readily admitted that they can't get
15 their dial tone there on due date minus two. I've
16 instructed my people to be a little bit more
17 accommodating, and I think that's what some of the
18 comments that AT&T made about informal agreements.
19 If the CLECs can't get their dial tone there on
20 time, I've asked my techs to be understanding about
21 that and to accommodate the CLECs' desire to
22 complete the cut.
23 He also referenced the LSRC and the
24 surprise-hot-cut issue: Again, I just want to point

1 out the CTRS1 conversation that is taking place as
2 well as the other conversations that are taking
3 place between my center and the folks over at AT&T
4 and also point out the fact that KPMG has reviewed
5 those, and their comments can be found on POP 7-2, I
6 believe.
7 Mr. Polete also spoke about Dexter, and
8 he mentioned the fact that I said Dexter would help
9 to resolve the discrepancies between BA and AT&T, or
10 Verizon and AT&T, with respect to busy CFAs. At
11 this time I have never said that. That system is
12 incapable of doing that. Dexter will only allow for
13 the quicker identification of busy CFAs. Busy CFAs
14 are a problem that exists in the entire industry,
15 primarily because the CLECs are the ones responsible
16 for maintaining the inventory, and then they issue
17 orders to Verizon and we can update our records to
18 reflect their records. As I'm sure you all know,
19 anytime you try to match up two records at any given
20 point they can be out of sync. This is due to a
21 number of reasons. For example, if there are
22 CLEC-to-CLEC migrations or win-backs and we are not
23 notified to disconnect the CFA in our own records,
24 we'll show it as busy. Our records do not show

1 telephone numbers on CFAs. We show circuit IDs --
2 TXNUs, if you will. AT&T does not track those
3 TXNUs. What I've offered to do is, in the instance
4 of a busy CFA, I've asked AT&T and the other CLECs
5 to give me another cable-pair assignment,
6 collocation-facility assignment, and that further on
7 down the line we would ask a frame technician to go
8 in there and to use automatic number identification
9 to identify the phone number working on the CFA in
10 question.

11 So I just wanted to clarify: Dexter is
12 not going to take care of that. Dexter is simply a
13 means to quickly identify which CFA on a particular
14 order is busy.

15 Mr. Polete spoke about the discussions
16 we had with respect to the data that's been
17 exchanged back and forth for the last couple of
18 months, saying that they focus primarily on CNRs. I
19 think that pretty much mirrors what I said earlier
20 about the fact that most of the discussions -- and I
21 agree with Mr. Polete -- have been focusing in on
22 how to get the future cuts taken care of.

23 The only thing I want to stress here is
24 that if we have cuts that are pushed into this

1 12/31/00 bucket. New Year's Eve bucket and
2 ultimately we find out that Verizon has done
3 something wrong when those orders are complete, they
4 are scored as missed. I just want to clarify the
5 fact that we're not talking about misscoring when
6 we're talking about CNR issues.

7 He's just mentioned that he's been
8 focussing -- Mr. Rowe asked him if he was focusing
9 on made orders. He said testifies focusing on
10 missed orders. I believe he meant to focus in on
11 the pushed-out orders, or orders that did not make
12 their original appointment, as opposed to orders
13 that are scored as missed.

14 There's one other thing he said, that
15 AT&T initiated the meetings going back this year. I
16 happen to think it was a collaborative effort. It
17 was born out of the monthly meetings that we've
18 hosted in the past. So, again, maybe I'm getting a
19 little sensitive. But I think we should both share
20 credit for these meetings.

21 WITNESS POLETE: I'll concede that.

22 CHAIRMAN CONNELLY: While you're
23 conceding it: Did he read your mind correctly?

24 WITNESS POLETE: I'll have some

1 comments.

2 WITNESS MAGUIRE: The last thing I
3 wanted to point out is that Mr. Polete indicated
4 that it took him some time to reconcile the data
5 that was associated with the 640-odd PONs that are
6 in the referenced time frame in our earlier filing.
7 The one thing I wanted to point out is that AT&T I
8 assume has always had access to their own
9 information and at any point in time could have gone
10 and done their own assessment of what was met or
11 missed. They didn't necessarily need my information
12 to find out what they experienced. They know about
13 that. This is information I've seen, just as he's
14 seen our WFA logs in the past.

15 MR. ISENBERG: What type of information
16 would that be?

17 WITNESS MAGUIRE: He has his own version
18 of the WFA log, to put that in quotes, where he has
19 a system -- I don't know the name of the system; I
20 don't recall it. But they're sort of mirror
21 packages that, we maintain things in a Telcordia-
22 based work force administrative system log, and he
23 has his own version of that that's unique to AT&T.
24 So at any given point in time, if I gave him the

1 list of orders, let's say, for example, the data
2 we've submitted since May, and he went and
3 referenced those, if he wanted to see if I was
4 actually scoring things appropriately he's had the
5 ability to go back into his own logs to see whether
6 or not he agrees with my scoring or disagrees with
7 my scoring.

8 They even go on in the tail end of their
9 recent filing to say that they've used some of their
10 own data to score the last couple of weeks that were
11 available to them. I think it was a time frame, the
12 last week of July, first week of August, or
13 whatever. And they used that data to come back and
14 say that they thought our performance was somewhere
15 in the 96 percent range, so they cautiously say that
16 that's only based on their information and that they
17 would need our information to substantiate their
18 information.

19 That just seems a little bit circuitous
20 to me, if you will. I just wanted to make it known
21 that every single one of the CLECs has their own
22 version of what has transpired with respect to an
23 individual hot cut and at any given point in time
24 they can go and tell whether or not they agree per

1 their own data.
2 MR. ISENBERG: Could any of Verizon's
3 data add anything that they don't already have?
4 WITNESS MAGUIRE: That's a shrugging
5 shoulder. I don't know.
6 MR. ROWE: Mr. Isenberg, it may be
7 helpful -- there was a session conducted in December
8 at which Mr. Maguire and Mr. Meek, to the
9 administrative law judges and perhaps others, I
10 think other staff members, went through exactly how
11 their logs tracked hot cuts, our logs on the Bell
12 Atlantic side, AT&T's logs. At that point in time
13 AT&T was saying, "We have a tracking mechanism.
14 Here's how it works."
15 MR. ISENBERG: Thank you.
16 CHAIRMAN CONNELLY: I think it's time
17 for your version of dueling banjoes here.
18 MR. ISENBERG: I have a couple of
19 followup questions for Mr. Maguire.
20 CHAIRMAN CONNELLY: Okay. Get your pick
21 ready.
22 MR. ISENBERG: Mr. Maguire, on Page 16
23 of AT&T's supplemental comments -- again, this is a
24 question related to Step 100 that they referred to.

1 Do you know whether, if what AT&T is saying here
2 about Step 100 and the problems that they had with
3 the EDI interface recently, whether that, if true,
4 would have affected other CLECs?
5 WITNESS MAGUIRE: I'm not an OSS expert,
6 so I don't think I'm qualified to say.
7 WITNESS POLETE: May I say something?
8 Mr. Maguire indicated that in December we did a
9 trial and indicated that a vast majority of the
10 no-dial-tone situations in that time frame were
11 indeed AT&T-caused. As a result of that trial we
12 changed our process to build our translations in our
13 switch to assure dial tone was at the designated
14 point in the Verizon central office in advance of
15 issuing an order. Prior to this trial and prior to
16 that change we waited for the confirmation to come
17 back before we built translations, and that resulted
18 in several orders where the translations were not
19 built in a timely fashion.
20 Since then we continue to have a no-
21 dial-tone problem, and that no-dial-tone problem
22 still patterns out to be issues related to both
23 companies. I will admit that there are no-dial-tone
24 issues that pattern back to AT&T, and we are not

1 holding Verizon accountable for those. It's the
2 ones where we can't -- on the due-date-minus-two
3 check or on the due date, where dial tone is not
4 there and we send a technician out to do a vendor
5 meet and find that it's there, having done nothing
6 else to that order other than to verify the
7 translations are in the switch, where we continue to
8 have this mismatch.
9 There are examples, and we have order-
10 log examples that indicate that there are situations
11 where the cable ID that has been populated on the
12 Verizon internal loop order has not matched what we
13 sent across on our request for service, and there
14 are other examples that are unexplainable at this
15 time -- either a technician, when they went to check
16 for dial tone, were on the wrong pair -- that's one
17 conjecture -- or there was a cross-connect somewhere
18 in the Verizon office that wasn't completed at the
19 time that they checked and was subsequently
20 completed. Those are situations where we think that
21 may be occurring but we don't have any way to prove
22 it.
23 MS. CARPINO: Thank you again.
24 MR. GRUBER: Excuse me. Could Mr.

1 Carmody just clarify that one point?
2 WITNESS CARMODY: The term "Step 100" is
3 an AT&T internal term, and it's basically a work
4 step where the order is waiting for confirmation.
5 So that the Step 100 term is used internally to AT&T
6 in the loop business.
7 MR. ISENBERG: Mr. Carmody, do you know
8 if the problems with EDI that AT&T experienced were
9 experienced by other CLECs during the same time
10 period?
11 WITNESS CARMODY: I have no idea that
12 any other CLECs were experiencing the same problem.
13 MR. ROWE: May I ask a question? Mr.
14 Carmody, are you on the Netlink software, or are you
15 on EC Expert for the transmission of these orders?
16 WITNESS CARMODY: That's a good
17 question. As a matter of fact, we could take this
18 up when your OSS experts are here.
19 MR. ROWE: Well, I'd like to get an
20 answer.
21 WITNESS CARMODY: I don't know, now that
22 I think about it. I'm not sure.
23 MR. ROWE: You don't know. Thank you.
24 MS. CARPINO: Let's take a short break,

1 and then we'll come back with Checklist Item 2, a
2 discussion on that.
3 (Recess taken.)
4 MS. CARPINO: Let's go back on the
5 record. We're going to spend the rest of the day on
6 Checklist Item 2, OSS issues. Joining me on the
7 bench, from my far left, April Mulqueen, Jeessoo
8 Hong; and on my far right, Scott Simon, Mike
9 Isenberg, and Bill Agee.
10 We're going to go a little out of order
11 this afternoon, to accommodate some scheduling
12 issues. We'll begin with Covad's witnesses. Mr.
13 Petrilla, would you like to introduce your
14 witnesses?
15 MR. PETRILLA: We have two witnesses.
16 They are Jim Katzman and Bogdan Szafranec.
17 Mr. Katzman is going to make some
18 corrections to the testimony and then provide a
19 short statement, and then the witnesses will be
20 available for cross-examination.
21 BOGDAN SZAFRANIEC and
22 JAMES R. KATZMAN, Witnesses
23 MS. CARPINO: Do you swear or affirm
24 that the testimony you're about to give is the whole

1 truth?
2 THE WITNESSES: Yes.
3 MS. CARPINO: And do you adopt
4 statements you made before this Commission last year
5 in this proceeding as the whole truth?
6 THE WITNESSES: Yes.
7 MS. CARPINO: Thank you.
8 WITNESS KATZMAN: I have five small
9 corrections to make to my testimony, starting on
10 Page 6. It's actually the last line down -- the
11 lines are not numbered -- where we state the average
12 interval completed is close to 40 days. I'd like to
13 change that number to 35 days.
14 On Page 22, Paragraph No. 53, the second
15 line: In parentheses we have "called a supp." That
16 is incorrect; that should be deleted.
17 On Page 23 there's language at the
18 bottom of that paragraph that starts at the top of
19 that page "with reference to the direct declaration
20 of Keith Markley." That sentence should be removed.
21 Correction No. 4 is Paragraph No. 57.
22 We would like to rephrase that to say, "Typically,
23 if it is a defective pair, we find out about that
24 when we run the Harris test or when the ILEC

1 technician calls to test and accept."
2 And the last correction is on Page 24,
3 Paragraph 60. We'd like to rephrase that first
4 sentence to say, "It takes on average 35 days for us
5 to provide service because Verizon frequently misses
6 its due date to us."
7 With that, I have just a couple of
8 comments I'd like to make in the form of an opening
9 statement. I'd like to address four areas of the
10 testimony that I think are particularly relevant to
11 this proceeding. The first area deals with overall
12 reliability of the GUI.
13 In March of this year, the end of the
14 first quarter, we had a weekend outage that was
15 originally scheduled to be a very brief outage, that
16 ended up costing Covad over 800 hours of production
17 time, based on staff that we had brought in for that
18 type of weekend activity. I think the most
19 frustrating thing to us was the fact that we had no
20 way to do any kind of after-hours or weekend-type
21 escalation, and we lost, like I said, over 800 hours
22 of production. That's real-cost dollars to us,
23 since we had paid people to come to work.
24 It actually made us more aware of a lot

1 of the issues with the GUI, and we tracked these
2 more particularly in the months of May and June,
3 where there were repeated GUI outages, some
4 scheduled, and some unscheduled, but far too many to
5 run our businesses. We sent formal correspondence
6 to Verizon, and they responded to us with reference
7 to several hardware and software changes that had
8 been made. Quite honestly, in the month of July,
9 the GUI has been more reliable.
10 However, this is a concern to us,
11 particularly now, because we're not only facing the
12 end of a work stoppage that has bundled up work for
13 the better part of two weeks for us and probably
14 some of our CLEC partners, but we're also moving
15 into September, which is the end of the third
16 quarter, which will also be typically a spike for
17 us. So needless to say, we're not convinced that
18 the GUI is ready to handle all that volume, and I
19 think there are themes throughout the testimony that
20 say that.
21 The second area that I'd like to talk a
22 little bit about is the whole GUI error-correction
23 process. The way it works right now, if we submit
24 an LSR and there's any kind of error on that, we get

1 that back in the form of a query and we're usually
2 able to respond to that query and fix it and we send
3 it in. Usually this will add hopefully no more than
4 one day to the process.

5 However, because of the way Verizon
6 chooses to process errors, we only get one error on
7 any given query. So if you have a particular LSR
8 that maybe has two or three errors in it, be they
9 address errors or any other type of error, each one
10 of those errors can add one or two days to our
11 interval. This is frustrating to us, because we
12 would like to see the GUI enhanced so that it would
13 return all errors at once, instead of one error at a
14 time.

15 The third area we'd like to talk about
16 is one that is particularly bothersome to us, and
17 that is on queries that come to us after we receive
18 a firm order confirmation, or FOC date, from
19 Verizon. The way our business process works is,
20 once we receive that FOC and we post it, we have no
21 reason to go back to the GUI. We're moving forward
22 with installation, getting the customer turned up
23 for service. We've had instances, unfortunately,
24 where we've had queries after the FOC that we've not

1 been made aware of. This can have catastrophic
2 effects. It can actually take a customer out of
3 service, because if we fail to respond to a query in
4 a timely manner, that order can be canceled. This
5 is obviously a huge concern to us, and it's in
6 contrast to what Verizon says in their testimony in
7 the supplemental affidavit in Paragraph 57, where
8 they say there isn't customer impact. We beg to
9 differ. We've seen customers go out of service
10 because of this.

11 The last area that I'd like to address
12 is our reliance on the TISOC center in our current
13 OSS environment. We do call the TISOC for
14 clarification, escalation, and other concerns.
15 Although Verizon has done somewhat of an effective
16 job of ramping up their TISOC in response to our
17 increased volumes, we're very nervous as we approach
18 big spikes in activity. And in fact, we've gone so
19 far as to formally request an extension of the hours
20 in the TISOC. We had actually gone on it and sought
21 input from other CLEC partners that had the same
22 concern about TISOC hours, and we've made a formal
23 request to Verizon. It really doesn't matter how
24 many people are there from 8:00 to 5:00 if we have a

1 call center that operates in different time zones.
2 So we want to make sure we're formally on the record
3 as saying we really do believe the TISOC hours need
4 to be expanded.

5 Those are the major items in my
6 testimony that I'm prepared to answer questions
7 about.

8 MS. CARPINO: Mr. Szafraniec, do you
9 have an opening statement as well?

10 WITNESS SZAFRANIEC: Very briefly. I
11 believe there are two areas that we have, as Covad,
12 experienced problems. Out of all the ILECs, only
13 two ILECs were not electronically bonded with EDI
14 for ordering, and Bell Atlantic is one of those
15 ILECs.

16 The other area, of us asking for more
17 detailed loop-qualification information, although
18 that is being handled on a collaborative in New
19 York, that process have been extremely difficult in
20 obtaining information, which is often labeled as
21 being proprietary, and subsequently we are allowed
22 to view it once the legal staff gets involved. We
23 have obtained information about what the solution
24 may cost, but any kind of details about that

1 interface has been difficult to obtain. We have
2 been asking for sample data to really evaluate the
3 quality of the interface once it's going to be
4 provided, and to this date we still have not
5 received that sample data.

6 Now, the reason why we ask for this
7 sample data is because we've been able to find that
8 in other ILEC regions the information that is stored
9 in some of these legacy systems is much more useful
10 to us than what is being indicated by a particular
11 ILEC. In other words, if somebody indicates that
12 there is 10 percent of the loops that are
13 inventoried in the OSS, to us, in the orders that we
14 process, that number is much higher. So therefore
15 getting some of this information and working through
16 that collaborative has been rather difficult.

17 Those are the two main issues that we're
18 looking at right now in that area.

19 MS. CARPINO: Thank you. Ms. Reed, do
20 you have any questions?

21 MS. REED: Just a brief one.

22 CROSS-EXAMINATION

23 BY MS. REED:

24 Q. In your opening statement, Mr. Katzman, you

1 had said that one issue you'd like to see is to have
2 the TISOC hours expanded. Do you know what
3 Verizon's current TISOC hours are?
4 A. [KATZMAN] Yes, they're 8:00 to 5:00, for
5 the TISOC that handles Massachusetts, Monday through
6 Friday.
7 Q. What would you like to see them expanded to?
8 A. [KATZMAN] To a minimum of 6:00 to 7:00
9 during the week and limited hours on Saturday.
10 MS. REED: Thank you. Nothing further.
11 MS. CARPINO: Mr. Rowe or Beausejour, do
12 you have any questions?
13 MR. ROWE: We have just a couple of
14 questions.
15 CROSS-EXAMINATION
16 BY MR. ROWE:
17 Q. Directing your attention to Page 23. You
18 corrected the record to indicate that there is no
19 Markley affidavit?
20 A. [KATZMAN] That's correct. I didn't correct
21 it to say there is no Markley -- I removed it
22 because I am not privy to the Markley affidavit. I
23 haven't seen it. I can't speak to it.
24 MR. ROWE: We haven't seen it, either.

1 MR. PETRILLA: It's an error.
2 Q. And that affidavit is what's pointed to for
3 specifics on instances of discrimination; is that
4 correct?
5 A. [KATZMAN] The same says that that
6 declaration describes these instances. However,
7 there are other instances that we have where
8 facilities issues have caused a problem for us.
9 Q. Is there any reference to any of those in
10 your testimony, any specifics? Those were to be
11 included with the Markley affidavit, were they not?
12 MR. PETRILLA: Mr. Rowe, when you say
13 "were to be included," I think what we've said is
14 there is no affidavit. The reference to it was in
15 error, and I'm not sure I understand your question.
16 Q. The second question was: Are there any
17 specific instances of discrimination described in
18 this affidavit?
19 A. [KATZMAN] There are several references in
20 this affidavit about the prequalification process
21 and how facilities are part -- how we believe that
22 facilities should be part of that prequalification
23 process, which they're not. There's also references
24 in the testimony to the reports that we get that

1 describe no-facilities issues from Verizon, and I
2 believe -- and I'd have to dig through -- there is a
3 mention of the fact that often those instances we
4 are made aware during the provisioning process, as
5 opposed to prior. So I believe there are adequate
6 references, although maybe not specifically, you
7 know, based on what the language in that paragraph
8 is.
9 Q. I'll stop with that.
10 Your other change to the testimony was
11 on Page 24, to an average of 35 days?
12 A. [KATZMAN] Yes.
13 Q. Can you tell us what the study period was
14 for that average?
15 A. [KATZMAN] Yes. From June 1st through
16 August 15th of 2000.
17 Q. Did you look at all your orders in that
18 period?
19 A. [KATZMAN] We looked at all the orders in
20 Massachusetts.
21 MR. ROWE: Ms. Carpino, we'd like the
22 Department to consider a record request that would
23 indicate the PONs that were studied and the data
24 that supports the 35-day claim.

1 MR. PETRILLA: I'm sorry, Mr. Rowe, what
2 was the first part? The what of the study?
3 MR. ROWE: The PONs, purchase order
4 numbers, that were studied, and the information that
5 supports the 35-day interval being discussed here.
6 MS. CARPINO: That will be proposed
7 Record Request J, as in Jim.
8 MR. PETRILLA: Just to clarify: You
9 want the PON numbers and what else?
10 MR. ROWE: The information that supports
11 the 35-day interval -- when that interval began,
12 what it began with, and when it concluded. The
13 question, Mr. Petrilla, under the existing ground
14 rules is not mine but is in fact the Department's.
15 All record requests are directed at the Department.
16 The Department will decide whether or not to issue
17 it.
18 MR. PETRILLA: I just want to understand
19 the extent of the information you want. How do you
20 foresee us providing this? For instance, on each
21 order saying the order was placed on January 12th
22 and the order was finally completed on February
23 17th? Is that what you're looking for for each
24 order? Or what are you saying?

1 MR. ROWE: The start date, the complete
2 date, and any intervening activity you would point
3 to. The allegation here is that Bell Atlantic has
4 slowed the process of the order on a PON basis for
5 the period referred to by the witness.
6 MR. PETRILLA: What do you want to do
7 with the request?
8 MS. CARPINO: We'll take it under
9 advisement; and if we decide to forward it on to
10 you, we'll do that tomorrow.
11 MR. PETRILLA: All right. That's fine.
12 (RECORD REQUEST.)
13 MR. ROWE: Along the same line, I
14 believe these two respondents are the sponsors for
15 Covad's response to DTE-CBD No. 5, the bulk of which
16 has been indicated as a proprietary attachment, and
17 in some cases requiring special studies and no
18 attachment. We would like the opportunity, since
19 Mr. White is our witness and since we received this
20 information on Wednesday evening, we would like the
21 opportunity to respond to the information attached
22 to DTE-CVC-5, and we would have no objection to
23 treating that as proprietary as well.
24 MR. PETRILLA: How would you make that

1 response?
2 MR. ROWE: By supplemental response to
3 the request to your answer.
4 MR. PETRILLA: Wait a second. The data
5 request was posed to us, and you want to respond to
6 our data request as a supplemental?
7 MR. ROWE: Yes.
8 MR. PETRILLA: Typically data requests
9 posed to Covad are responded to by Covad, but you
10 would like to respond on behalf of Covad?
11 MR. ROWE: No, we'd like to have a
12 chance to analyze it and respond on behalf of
13 Verizon as to the accuracy of the information
14 contained in it.
15 MR. PETRILLA: But what mechanism are
16 you going to use to do that? That's what I'm trying
17 to understand.
18 MR. BEAUSEJOUR: We'll file an affidavit
19 of the Verizon witnesses supporting our analysis.
20 MR. PETRILLA: That clarifies how you
21 propose to do it. What does the Bench want to do
22 with that?
23 MS. CARPINO: We will provide all due
24 weight for consideration of that response.

1 What was that number, again?
2 MR. ROWE: It's DTE-CVD No. 5, responded
3 to by these to affiants on August 14th, 2000.
4 MR. BEAUSEJOUR: Which, as Mr. Rowe
5 noted, was the date before our witness on this issue
6 was scheduled to appear.
7 MR. ROWE: The other question we would
8 have, Ms. Carpino, is: There was reference made --
9 I'll ask the witness.
10 Q. There was reference made by Mr. Clancy when
11 he appeared on Thursday to a review that Covad had
12 done that indicated that 23 percent of the loops
13 completed by Bell Atlantic that had been accepted by
14 joint acceptance practice did not work, is the word
15 he used -- wouldn't work. We don't have the data
16 behind that. Are either of you familiar with that
17 study?
18 A. [KATZMAN] I am not.
19 A. [SZAFRANIEC] I believe I may be familiar
20 with the report that's generated internally within
21 Covad, but I'm not 100 percent sure about what
22 you're referring to exactly.
23 MR. PETRILLA: I have a question, Mr.
24 Rowe. We responded to DTE-CVD, I believe it was 9,

1 with reports that are produced on, I think, a
2 business-daily basis about failed loops. Is that
3 what you're referring to?
4 MR. ROWE: No, it isn't. But if that's
5 a clarifying statement, I'd be perfectly happy to
6 conclude --
7 MR. PETRILLA: I'm not the witness, but
8 I'm trying to figure out -- I wasn't present when
9 Mr. Clancy testified, so I don't know the reference
10 and I don't know the context of the reference. So
11 I'm trying to understand the context better than,
12 rather than just getting a response from two
13 witnesses who also were not present and also who do
14 not know the context.
15 MR. ROWE: I did not know whether they
16 did or not.
17 Just to short-circuit this, Ms. Carpino
18 and Mr. Petrilla, we would point to Transcript 2573,
19 the reference being made, I believe, for the first
20 time to a Covad study showing 23 percent of the
21 loops did not work after acceptance, and we would
22 like to have a data request issued by the Department
23 for the size and period of that study group, what
24 orders were considered in the numerator, the 23

1 percent, what orders were considered in the
2 denominator, and PON identification would enable us
3 to understand the weight of that study.

4 MR. PETRILLA: One thing that I'm trying
5 to understand is why this data request is being
6 posed today, as opposed to last Thursday, if the
7 statement was made last Thursday. Now, not knowing
8 what was said at the time, I'm just trying to
9 understand why witnesses on a different topic are
10 being asked this data request.

11 MR. ROWE: I think the answer to that
12 is, first, I reviewed the material over the weekend.
13 We would like to understand the study so that we
14 could find what merit that there may be to it.
15 Otherwise we will be unable to. It will be simply a
16 numeric claim without any support. Secondly, these
17 witnesses do in many instances refer to provisioning
18 matters.

19 MR. PETRILLA: Mr. Rowe, did you
20 question Mr. Clancy about this at the time?

21 MR. ROWE: No, I did not.

22 MS. CARPINO: We'll take it as a
23 proposed record request, K.
24 (RECORD REQUEST.)

1 MR. ROWE: That's all we would have.
2 EXAMINATION

3 BY MS. HONG:

4 Q. Mr. Katzman, regarding the 35-day
5 provisioning interval: Are you talking about end-
6 to-end connection or only the --

7 A. [KATZMAN] End-to-end connection, because
8 that's how our end users measure the success. They
9 look at the whole service.

10 EXAMINATION

11 BY MS. CARPINO:

12 Q. Mr. Katzman, when you mentioned the one
13 error per one query comment, have you raised that
14 issue with Verizon?

15 A. [KATZMAN] We've raised that issue on
16 several occasions. In fact, I believe that it's
17 been a discussion topic at some of the change-
18 control sessions as well. So, yes, I believe it has
19 been raised.

20 Q. What's the status of these discussions?

21 A. [KATZMAN] I'm not sure. I think initially
22 their response was that it would be very cumbersome
23 and would involve major system redesign to the GUI
24 in order to do that. But I'm not sure where it went

1 MS. CARPINO: Ms. Reed, did you have
2 something?

3 MS. REED: It was just a procedural
4 question. If we're going to be allowed to reopen
5 investigations from previous witnesses who have
6 already testified, I'd like to know whether or not
7 we'd also be able to inquire as to other witnesses
8 besides the one that Mr. Rowe is asking about?

9 MS. CARPINO: Any witness in particular?

10 MS. REED: No, just as a general
11 procedural matter, once a witness testifies, will we
12 have an opportunity sometime down the road to ask
13 other questions of that particular witness when
14 they're not here any longer? This appears to be
15 what Mr. Rowe is trying to do here, and I have a
16 concern about it, frankly. But if that's what the
17 Bench is going to allow us to do in this instance,
18 I'd like to know if we're going to be allowed to do
19 the same sort of thing in further instances.

20 MS. CARPINO: My hope is that this is an
21 isolated incidence. In fact, when Mr. Clancy was
22 making reference to this June study, I was actually
23 interested in it as well, but I failed to make my
24 proposed record request at the time.

1 from there.

2 Q. Thank you.

3 MS. CARPINO: I don't believe the
4 Department has anything further. We will move along
5 to the Verizon witnesses.

6 MR. ROWE: Verizon has a number of
7 witnesses who have been affiants in this proceeding.
8 Just for the benefit of those here, I'll do them in
9 the order in which they're sitting: Michael
10 Toothman, Mr. Stuart Miller, Ms. Kathleen McLean,
11 Mr. Sean Sullivan, Mr. Tom Sautto, Mr. Richard
12 Sampson. Sitting directly behind Mr. Sampson is
13 Mr. Brian Barry. In the far row is Julie Canny, Ms.
14 Beth Abesamis, Ms. Marilyn DeVito, Paul Haven. And
15 that does it for our panel.

16 Ms. McLean would be adopting the
17 testimony filed by Ms. Marion Jordan. Mr. Sampson
18 would be adopting the testimony prefiled by
19 Mr. David Swan, as well as testimony offered earlier
20 by Ms. Michel and Mr. Barringer. And Ms. Abesamis
21 will be adopting testimony earlier offered by Mr.
22 Garbarino.

23 BRIAN BARRY, MARILYN DeVITO, PAUL HAVEN,
24 KATHLEEN McLEAN, STUART MILLER, RICHARD

1 SAMPSON, THOMAS SAUTTO, JULIE CANNY,
2 SEAN J. SULLIVAN, R. MICHAEL TOOTHMAN,
3 and BETH ABESAMIS, Witnesses
4 MS. CARPINO: Do you swear or affirm
5 that the testimony you are about to provide is the
6 whole truth?
7 THE WITNESSES: I do.
8 MS. CARPINO: And do you further adopt
9 statements made before this Department in this
10 proceeding last year as the whole truth?
11 THE WITNESSES: Yes.
12 MS. CARPINO: Thank you. I believe,
13 Mr. Miller, you have a statement.
14 MR. ROWE: Mr. Miller has the opening
15 statement for the panel, and then a number of
16 specific panelists will respond to information
17 provided in data requests to the Department.
18 WITNESS MILLER: Good afternoon.
19 Verizon - Massachusetts has shown that its OSS's are
20 not only ready, but have been and continue to
21 process many thousands of activities successfully on
22 a daily basis. Competition continues to flourish.
23 Verizon North systems processed over 3 million LSRs
24 between January and July of this year. Also,

1 relative to the number of Verizon access lines in
2 each state, during the second quarter of this year
3 Verizon processed as many Massachusetts-based LSRs
4 through its systems and processes as it did during
5 the third quarter of last year for New York
6 customers.
7 In addition, the increase in number of
8 CLECs conducting competitive business through these
9 OSS's continues. As an update to our most recent
10 affidavit, in fact, there are now 15 CLECs
11 conducting business in Massachusetts using our EDI
12 app-to-app interface, and 79 conducting business
13 using the Verizon-supplied Web GUI interfaces.
14 I will refrain from repeating statements
15 Verizon has already made in our affidavits. I
16 would, however, like to point out that Verizon has
17 established a complete set of successful trading-
18 partner systems and supporting functions, which run
19 the gamut from detailed documentation of functions,
20 user training, interconnection establishment,
21 processing of orders, billing data, and trouble
22 management, all the way through to change
23 management, systems testing, help desk, and advisory
24 sessions on effective use of the systems. Verizon

1 puts together support processes and expertise which
2 reflect the wide variety of needs which different
3 CLECs have when preparing their systems and
4 operations for local service.
5 In its examination of our OSS services,
6 KPMG represented a composite or amalgam of all
7 CLECs, and thus they were addressing resale, UNE-P,
8 and loop startup in both residence, business, simple
9 and complex order types, all at once, which is a
10 formidable target and in KPMG's own words, quote,
11 "much broader than likely to be experienced by any
12 single CLEC in the near future." You'll be
13 addressing the findings with KPMG, I understand,
14 next week.
15 We can summarize here by stating that
16 KPMG conducted over 800 test points, of which 99.2
17 percent are currently satisfied and two are still
18 undergoing analysis. Perhaps not surprisingly, this
19 record of examined success is higher than that
20 achieved in the original test in New York at the
21 comparable stage. This further attests to Verizon's
22 position that the Verizon - Massachusetts systems
23 benefit directly from the New York experience, owing
24 to their degree of similarity.

1 I'll address a few specific points which
2 are germane to this hearing. At the beginning of a
3 customer's life cycle the interaction between the
4 CLECs and our systems frequently begins with one or
5 more preorder transactions. It's important to
6 synchronize the CLEC and ILEC mutual data on a
7 single customer in order to avoid difficulties in
8 future transactions for that customer or that
9 location.
10 For these, there are several thousand of
11 these preorder requests every day. The systems used
12 to process these requests actually handled nearly
13 approximate a quarter of a million of such requests
14 in July alone, which includes New York and the
15 remaining New England states, with response times
16 meeting and/or bettering accepting standards.
17 System interface availability is at 99 percent for
18 the scheduled time; and although CLECs did
19 experience problems, as we heard earlier, with Web
20 GUI, Verizon has taken prompt action to correct
21 them. In addition to substantial systems capacity
22 added in April, improvements were made to the Web
23 GUI infrastructure in June, which are evident in the
24 July availability performance, which was 99.93

1 percent for prime time. This is further evidenced
2 by the related drop in GUI trouble tickets opened by
3 CLECs. These declined from more than 90 per week in
4 the May-to-June time frame to 35 per week by the end
5 of June, and further to 15 per week by mid-July.

6 As far as orders are concerned, in July
7 of last year there were nearly 25,000 orders
8 submitted in Massachusetts. In July of this year
9 the LSR count is more than 48,000, obviously nearly
10 twice as many. Included in this increase is a
11 growth in UNE loops and LNP orders of more than
12 three times as many as last year. The new LSOG 4
13 business rules interface is also operating as well.
14 Verizon has processed more than one half million
15 LSOG LSRs in production since the February, 2000
16 release.

17 The order flow-through is another arcane
18 subject whose rate is dependent on many factors,
19 some within Verizon's control, many which are not.
20 Over the past 18 months Verizon has automated its
21 systems in response to many events and observations
22 and has worked frequently with individual CLECs to
23 improve the end result of flow-through for orders,
24 which is a result that benefits both the parties.

1 During the last ten months there have been a total
2 of 51 system improvements addressing flow-through.
3 Some of these have addressed the automation of DSL
4 order processing, and new ADSL line orders which
5 have been prequalified are now processed as flow-
6 through orders to our service-order processing
7 system.

8 As a recent update, for the period of
9 August the 1st through 18th of this year, resale
10 flow-through is 53 percent and loop is 37 percent,
11 which includes the prequalified DSL orders I just
12 referred to. Since May those rates have improved
13 from 44 percent and 22 percent, respectively. Of
14 particular note here is the sensitive situation
15 which arises when supplemental orders are submitted
16 by a CLEC to make a change to an order which is
17 already in the pipeline and may have reached
18 different stages in provisioning. Effective
19 handling of these orders requires human judgments to
20 be made. If such LSRs, however, were excluded from
21 the flow-through calculations, the counts would be
22 69 percent flow-through and 62 percent flow-through
23 for resale and loops, respectively.

24 For orders which are not processed

1 automatically, there are four order-handling
2 centers, or TISOCs, serving the Massachusetts
3 wholesale customers. The centers are staffed with
4 717 representatives, which is a 126 percent increase
5 over November of last year. Performance
6 measurements show that the centers are staffed
7 appropriately and are offering timely service. The
8 center here in Boston, exclusively dedicated to the
9 processing of DSL orders, is currently staffed with
10 123 associates, which size has doubled since the
11 second quarter of this year.

12 As far as billing is concerned, more
13 than 48 million usage records per month are
14 processed in New England. The usage for both the
15 CLECs and Verizon is captured and processed in the
16 same manner. Almost 2,000 bills are produced
17 monthly in Massachusetts and delivered to CLECs in a
18 timely manner.

19 CLECs raise several questions concerning
20 billing, but only one fundamental system problem was
21 identified and a fix already implemented this month.
22 Further, KPMG executed 170 billing test points and
23 found all of them to be satisfactory.

24 As far as maintenance and repair is

1 concerned, RETAS, which is the Verizon-provided
2 maintenance and repair system, handles a large
3 volumes of transaction today. Across the entire
4 Verizon region, in each of the last two months our
5 CLEC customers have used RETAS to create more than
6 15,000 trouble tickets, perform more than 35,000
7 tests on local loops, and receive responses to more
8 than 22,000 circuit trouble history queries.

9 The interaction between Verizon and the
10 CLEC/DLEC community continues to be managed by the
11 change-control process. Again, Verizon has
12 conducted these interactions with a larger staff and
13 addresses all issues in a prompt manner. For CLEC
14 testing of our June software release, there have
15 been continued improvements for all aspects of the
16 release. Among other things, improvements were made
17 to the management of the test data, which had been
18 the subject of an earlier exception during the KPMG
19 test. In June notification of system changes
20 provided through change management were 100 percent
21 on time.

22 The help desk, which is used to address
23 systems questions raised by CLECs, was staffed by
24 six people at the beginning of 1999. There are now

1 43 fully trained staff, twice as many as in May this
2 year, who are in turn supported by sophisticated
3 systems to respond to CLEC system inquiries. New
4 processes have been introduced to enhance the
5 handling of these tickets.

6 Again, all of these capabilities
7 contribute to the conclusion that the Verizon -
8 Massachusetts OSS's and support operations are
9 presently supporting a very high volume of
10 competitive transactions and are ready for even more
11 increased activity.

12 That concludes my opening remarks. I'd
13 like to ask Ms. McLean to address some issues on
14 recent data requests.

15 MS. CARPINO: Thank you, Ms. McLean?

16 WITNESS McLEAN: Kathleen McLean. In
17 response to DTE-AT&T-1-4A, AT&T provided various
18 data indicating that they did not receive a
19 confirmation or system error message on 213 orders.
20 In response to the data request, AT&T provided a
21 list of the specific PONs in question. This allows
22 Verizon to investigate the requested notifiers for
23 each PON using our PON exception tracking process.
24 Verizon's reference indicates that LSCs were

1 has been created. If so, the notifier is
2 retransmitted to the CLEC. If not, the PONs are
3 statused back to the CLEC and handed back to the
4 help desk, which conducts additional research into
5 the PONs' status and communicates that status back
6 to the CLEC.

7 And now Mr. Barry will comment on other
8 sections of that data request.

9 WITNESS BARRY: In response to
10 DTE-AT&T-1-4F, AT&T provided a list of 138 orders
11 which they claim were incorrectly rejected by the
12 TISOC. An investigation revealed that 57 orders
13 were incorrectly queried. Of these, 50 related to
14 two training issues. 41 of the rejects resulted
15 from rep confusion regarding Verizon's policy on
16 supplemental orders on due date. A few reps
17 mistakenly thought that supps. could not be accepted
18 24 hours before the due date. A training bulletin
19 was issued to reinforce the correct procedure, and
20 the bulletin has been reviewed with all
21 representatives.

22 Nine rejects were the result of
23 confusion between LSOG 2 and LSOG 4 requirements.
24 The correct requirements have been reviewed with all

1 returned to AT&T for all 213 they thought were
2 missing. The final transmission method used by
3 Verizon reported successful completion of the
4 transfer of the notifiers to AT&T.

5 In response to DTE-AT&T-1-4E, AT&T
6 indicated that they did not receive a provisioning
7 completion notice on 8.6 percent of its test orders
8 and that it did not receive a billing completion
9 notice on 11.7 percent of its test orders. Our
10 research indicates that PCNs have not yet been
11 created for 2.2 percent of the PONs and PCNs have
12 not yet been created for 5.3 percent of the PONs.
13 There are a variety of business reasons why a
14 notifier may not have yet been created and
15 transmitted back to AT&T, most notably that the work
16 may not yet have been completed and there's no
17 notifier. For example, the provisioning work may
18 not have been completed due to facilities, in which
19 case a provisioning notice would not have been
20 created nor transmitted to AT&T.

21 The process that is followed in these
22 circumstances is for the CLEC to open a PON
23 exception trouble ticket. Internally, Verizon first
24 searches system sources to determine if a notifier

1 the representatives in the center. 81 of the orders
2 which AT&T claimed were erroneously queried by the
3 TISOC were in fact valid.

4 WITNESS CANNY: In response to
5 DTE-AT&T-1-4 A, AT&T indicated that it had received
6 late confirmations 34.1 percent of the time and late
7 completion notices 37.8 percent of the time. Our
8 analysis of the orders during this time frame for
9 both confirmation performance and completion notice,
10 timeliness performance, showed that Verizon has met
11 or exceeded the 95 percent performance standard for
12 that time period.

13 WITNESS SAMPSON: Richard Sampson. In
14 response to DTE-WorldCom No. 5: WorldCom has
15 expressed concern regarding the validation of paper
16 bills. Although WorldCom never specified which
17 product it is concerned with, I assume they refer to
18 UNE loops, which until recently were provided in
19 paper format. Currently all Verizon wholesale
20 services, including UNE loops, are available
21 electronically.

22 In response to DTE-WorldCom No. 6: MCI
23 claimed in the response that the May UNE bill was
24 late. They complained -- they stated in their

1 response that they complained about this in mid-May
2 and the bill was re-sent on June the 7th. Our
3 investigation showed that this problem was not
4 reported to the technical help desk. Although an
5 e-mail was sent on June the 2nd to the billing and
6 collections operations center, which referred MCI to
7 the technical help desk, no call was made there.

8 On June the 5th, at 9:52 in the morning,
9 MCI called directly into our system support center,
10 which is the work group that would have got the
11 problem referred to them from the technical help
12 desk. It was discovered that the May 5th bill did
13 in fact have an NDM transmission problem. Those
14 files were re-sent at 12:52 that same day, three
15 hours after the report was called in.

16 In response to AT&T-1-11A -- there are
17 two parts: In May AT&T opened a ticket concerning
18 missing usage on the daily usage file. Our system
19 support folks worked with AT&T and showed them where
20 to look and how to locate the proper data set. AT&T
21 found that they in fact had an NDM reception
22 problem. The files were re-sent and AT&T received
23 all the data. This was for data on May the 11th.
24 In the reply to DTE -- in the reply AT&T referred to

1 902 records that were missing. We took a random
2 sample of 100 of those 902, and all were found on
3 the DUF.

4 In response to the second part of that,
5 1-11B, AT&T referred to the claims process as not
6 being responsive and specifically provided an
7 exhibit which referred to the resale billing-account
8 numbers that AT&T wanted disconnected. On May the
9 9th a business meeting was held between Verizon and
10 AT&T to discuss the issue and to come up with a
11 solution. Jointly both parties agreed that Verizon
12 would research the billing-account numbers and
13 provide AT&T with any telephone number, any end user
14 that was still associated with that account. We
15 would also provide the AT&T PON which established
16 the account. Once that information was done, AT&T
17 agreed to issue the proper disconnects so those
18 end-user accounts could be disconnected, and then
19 provide a written letter to Verizon stating that
20 they wanted the master billing-account number
21 disconnected. On May the 26th Verizon provided to
22 AT&T the list of the end users that were still
23 associated with these billing-account numbers, and
24 we are still waiting to hear back from AT&T.

1 MR. TOOTHMAN: I'm Mike Toothman. In
2 response to DTE Data Request DTE-WorldCom-2,
3 WorldCom produced issues logs related to their
4 testing of local service ordering guidelines,
5 version 4, in Pennsylvania and New York. These logs
6 are better characterized as questions and requests
7 for clarifications.

8 WorldCom is very thorough in their
9 review of documentation and requests a more detailed
10 level of documentation and clarification than other
11 CLECs. The vast majority of these items identified
12 in the logs did not result in system or business-
13 rule changes but in clarifications and answers to
14 business processing questions.

15 I believe this concludes Verizon's
16 opening remarks.

17 MS. CARPINO: Ms. Reed?

18 MS. REED: Thank you.

19 CROSS-EXAMINATION

20 BY MS. REED:

21 Q. This is a question directed to Mr. Miller.
22 I believe you said in your opening statement that
23 the help desk, the OSS help desk currently has 43
24 people on the staff. Is that correct?

1 A. [MILLER] That's correct.

2 Q. How will Verizon handle significant
3 increases in OSS help-desk inquiries? Does Verizon
4 intend to hire new personnel, or will Verizon shift
5 existing personnel over to the OSS help desk and
6 away from their existing duties?

7 A. [MILLER] I'd like to address part of that
8 and then perhaps refer to Mr. Sautto to continue
9 with any detail he may like to have on that.
10 Essentially, first of all, there are many factors
11 that may cause an increase in questions to the
12 system support help desk, factors working in both
13 directions. For example, as CLECs get more
14 experience, one would expect that their volume of
15 requests would decline. On the other hand, as new
16 CLECs come in, there's another force moving in the
17 other direction.

18 There have been various things put into
19 place in the center now to address the increase in
20 questions that have occurred, and as you saw in some
21 cases, there was actually a decline in inquiries on
22 certain factors. As our affidavit pointed out, the
23 center was recently moved and consolidated, and we
24 had little difficulty in staffing with fully trained

1 people. It's obviously difficult to predict what
2 the future volumes are going to be. But we monitor
3 that by look at the response times that we have for
4 responding to questions that come up.

5 Perhaps Mr. Sautto could elaborate on
6 some of those.

7 A. [SAUTTO] I have to answer that in a couple
8 of ways. I'll build on what Stu said. No, I is, we
9 definitely would add more people if we need to add
10 more people. However, a lot of the calls we get
11 today are not trouble calls, more of inquiries. So
12 as people get more experienced on it, those
13 inquiries will go down, then we'll shift the
14 resources to where we need them.

15 The same thing with mechanization: As
16 we go through the help desk, we're putting up the
17 mechanized processes, which eliminates time people
18 need to spend on the phone. Therefore people I have
19 there today might be able to handle more calls in
20 the future. But again, if is necessary and I have
21 to put more people on the help desk, I will.

22 The training process is formalized. It
23 doesn't take them long to get up to speed after
24 doing the training process. We do have people

1 whether now is the time or whether you want to do it
2 after finishing with the Covad folks, but there was
3 fairly extensive commentary by Verizon on certain
4 discovery responses, by AT&T as well as by WorldCom.
5 I'm going to be asking for a break so I can speak to
6 my witness about those. I'm guessing that our very
7 fine court reporter is probably ready for a
8 midafternoon break as well. I'm assuming that the
9 Bench is willing to accommodate that request.
10 Whether you want to do it now or after Covad's
11 questioning.

12 MS. CARPINO: After.

13 EXAMINATION

14 BY MR. SZAFRANIEC:

15 Q. Mr. Miller, a little bit earlier you
16 discussed how many customers you currently have
17 using EDI and that the numbers are increasing. Now,
18 Covad is not one of those customers. In 1999 we
19 committed quite a few resources to get our
20 interfaces up and running, and we ran into many
21 delays for several different reasons, and by the
22 fall of 1999 we decided that maybe our efforts would
23 be better spent in areas where we felt the systems
24 were a little bit more stable. Since that time

1 acting as coaches to support those people while they
2 are training.

3 Q. The next question I have regards the
4 requests by Covad's witness, Mr. Katzman, to
5 increase the TISOC hours from the current hours to
6 their proposal. Mr. Miller, or whoever can respond
7 on behalf of the panel: Do you have any objection
8 to that expansion of time?

9 A. [MILLER] I would have to refer to my
10 colleague, Mr. Barry, to respond to that question.

11 A. [BARRY] I'd like to clarify. The hours of
12 operation are 8:00 to 6:00 Monday through Friday,
13 not 8:00 to 5:00. That is for the hours of access
14 to the center. But there are reps who, as need be,
15 do work later to process orders as need be.

16 Q. Am I correct in understanding that's 8:00 to
17 6:00 Monday through Friday, but no hours on Saturday
18 or Sunday?

19 A. [BARRY] That's correct.

20 MS. REED: Nothing further.

21 MS. CARPINO: Thank you. I think we
22 should go to the Covad folks first, and then we'll
23 go to others.

24 MR. SALINGER: Ms. Carpino, I don't know

1 we've been able to bring up other ILECs relatively
2 quickly and efficiently in our EDI interfaces. What
3 I'm trying to get to is: Have you found that the
4 DLECs or other carriers have been very successful in
5 integrating the preordering and ordering and really
6 getting the functionality out of these systems,
7 versus saying, "We receive a million orders per
8 month," as a statistic? Has that transition from
9 preordering to ordering been relatively smooth, gone
10 smoothly for the CLECs?

11 A. [MILLER] Again, I can offer a general
12 comment and then have Mr. Toothman and Ms. McLean
13 maybe add to the comment. But clearly as the CLECs
14 are developing in different interfaces to our
15 systems, they have different experiences in that
16 process, based partly on the timing that they would
17 have, based partly on the timing of the changes that
18 we're making to our systems. We rely very heavily,
19 obviously, on the change management process and on
20 the documentation and training process to maximize
21 the flow of information that we can provide to the
22 CLECs in developing the interface. I can't comment
23 specifically on your experience. I'm personally not
24 familiar with it.

1 Q. Because some of the issues that we've
2 experienced is address validation being a very
3 important aspect of our preordering function, so
4 then we could submit an order, and we have
5 experienced tremendous problems with it, by trying
6 to determine the central office that is being served
7 by that particular address. That information is
8 still not being returned, and I think we've
9 submitted several change requests asking for it.

10 Now, we're in a position where we are
11 hoping to be going into limited production in the
12 next couple of weeks, and that cloud still hangs
13 over us. We may be in a position to go to some
14 third-party databases to determine the central
15 office for that address, and we have a very low
16 confidence in the accuracy of those databases, and
17 we may see a large fallout of orders. And we've
18 addressed this with your folks. I was looking
19 whether there was anything being done to assist us
20 in those processes.

21 A. [TOOTHMAN] My comments would be that the
22 success of CLECs in turning up an EDI interface is
23 wholly dependent upon their experience and the
24 resources they devote. The actual experience that

1 raised a year ago. We have several CRs opened, but
2 we feel it's being handled a little bit slower than
3 we would need to get our systems up and running. We
4 have been much more successful in implementing U.S.
5 West, Ameritech, Pac. Bell, SWBT, GTE. So there are
6 very few companies that are left that we don't
7 believe we could get there. And we believe we have
8 enough experience in this area, and knowledge. I
9 would suggest that we have a little ways to go there
10 to get up to speed.

11 Now, the other point that I would like
12 to address is: We do believe that there's
13 additional information in your OSS systems that are
14 very important to us. We have been working through
15 the collaborative process about how to go about and
16 retrieve that information. I think one of the major
17 sticking points that's been there is a document, an
18 e-mail message, that was produced by Bell Atlantic.
19 It's five or six lines. To summarize, this document
20 simply tells us, "You have two options. One option
21 is going to cost you just under a million dollars.
22 The other one is going to cost you \$400,000." But
23 as far as the detail behind what will be provided,
24 it's not there. If I have to put a business case

1 we've seen varies widely based upon the CLEC
2 itself.

3 In particular, your question about being
4 able to validate an address using a preorder EDI
5 transaction, I'm aware that several CLECs are able
6 to do that quite successfully. But I'm reluctant to
7 comment on their experience in integrating order/
8 preorder. I'm just not familiar with how their
9 systems operate.

10 Q. I am also familiar with that, and Covad has
11 a policy that when they deploy, they deploy both
12 aspects of it, because that gives us the full level
13 of flow-through, where once you understand the
14 address it flows into the ordering piece, and we
15 have high reservations right now about bringing Bell
16 Atlantic up into production. This is some of the
17 data elements that are missing.

18 A. [TOOTHMAN] I'm not familiar with any data
19 elements that are missing.

20 Q. The CLLI code for the central office: It
21 would be very difficult to determine for us which
22 central office uses the particular -- is associated
23 with a particular address. That is a major issue
24 for us right now. And this type of an issue was

1 internally at Covad, to say is Covad willing to pay
2 that type of money to have this interface developed,
3 we definitely need a lot more than that.

4 And Covad did produce additional
5 documentation, including diagrams -- and I won't
6 bore you with that -- with assumptions and
7 questions. And the questions that we are getting
8 back from Bell Atlantic are very brief, to the
9 point, one sentence. Some of the answers are wrong.
10 We are getting to the point of trying to figure out,
11 are we being able to get this data loop information
12 in a timely fashion? We've been asking for sample
13 data, provided sample addresses, and we're still
14 awaiting some of this information.

15 Now, the reason why we need this
16 information is just like with the other ILECs: We
17 evaluate the cost of the proposal and whether we
18 should implement and how quickly. I believe that
19 your organization should do a slightly better job of
20 providing this information. It's no different than
21 me going to a vendor and providing them with high-
22 level requirements and saying, "Will you build this
23 application for me?" Almost always the vendor will
24 respond that they will and they will give me the