

Verizon, they are most strongly seen where competition is most difficult, i.e. in the rural and residential markets. Accordingly, the PUC must remain vigilant of problems in those areas.

The Structural Separation Order has also recognized that local competition in rural areas is disappointing. The Order stated that: “[i]n the rural areas of Pennsylvania, competition is severely lacking.” Structural Separation Order at 40. Accordingly, as noted above, the Commissioners approved further reductions in rural UNE loop rates. The OCA recognizes that the 271 test does not include a specific “market share” requirement. Nevertheless, the OCA urges the Commission to ensure that Verizon has taken every reasonable measure to open all areas of its service territory and all customer classes to competition before a positive recommendation is granted.

D. Greater Effort Must Be Made to Permit Access by Competitors to Verizon’s Equipment Related to Digital Services.

1. Introduction.

The OCA remains concerned about the efforts being made by Verizon to open its digital services network to CLECs in order for those competitors to offer digital services (or xDSL)¹⁴ to consumers in all areas of Pennsylvania. Verizon has not yet met its burden of proof that it provide “interconnection in accordance with Sections 251(c) and 252(d)(1)” pursuant to 47 U.S.C. § 271(c)(2)(B)(i), that it maintain “[n]on-discriminatory access to network elements in accordance with 251(c)(3) and 252(d)(1)” pursuant to 47 U.S.C. § 271(c)(2)(B)(ii), and that it provide “[l]ocal loop

¹⁴ Digital services (or xDSL) are data services that customers use for internet connectivity, including Asymmetric Digital Subscriber Lines (ADSL), High-Speed Digital Subscriber Lines (HDSL) and other DSL services. The reference to digital services or xDSL in this section generally relates to the same category of DSL services described in this footnote.

transmission from the central office to the customer's premises, unbundled from local switching, or other service" pursuant to 47 U.S.C. § 271(c)(2)(B)(iv) related to digital services. Therefore, a positive review of Verizon's Section 271 application cannot be granted until Verizon takes the necessary steps to comply with the above checklist items concerning digital services.

In its initial Comments, the OCA explained that the deployment of xDSL to all areas of the Commonwealth is important given the benefit of such service to consumers. In the Global Order, the PUC opined that "[Verizon's] delay in introducing its DSL services suggests [a] . . . *lack of competition* in the relevant telecommunication services market [which] has forestalled the benefits of technological innovation and the availability of broadband services to Pennsylvania consumers." Global Order at 111 (emphasis added).¹⁵

In light of the importance of xDSL to Pennsylvania consumers, as acknowledged and addressed in the PUC's Global Order and the FCC's Advanced Services Order, the OCA is particularly concerned that Verizon is not providing CLECs with the loop qualification information necessary to make informed choices about providing xDSL to Pennsylvania consumers; that Verizon is not making DSLAMs available for sale to CLECs or unbundling DSLAMs; and that Verizon is not complying with FCC and PUC Orders regarding line sharing over fiber. Based on Verizon's failure to comply fully with Commissions' Orders, particularly the Global Order on this issue, the OCA submits

¹⁵The FCC stated that "[t]he ability of all Americans to access . . . high speed, packet-switched networks *will likely spur growth and development as a nation.*" In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability, FCC Docket Nos. 99-48, 98-147 (released Mar. 31, 1999), First Report and Order and Further Notice of Proposed Rulemaking at ¶ 5. (Advanced Services Order) (emphasis added).

that the digital services market is not irreversibly open to competition. Verizon's Section 271 application should not be granted until Verizon removes the barriers to competition in the digital services market.

2. Access to Adequate Loop Database Information.

The OCA remains concerned that Verizon is not providing CLECs with adequate loop qualification information so that they can productively offer digital services to their customers. The PUC has already recognized problems with Verizon's current loop qualification database in the Global Order. See Global Order at 109-117. Because Verizon has not yet complied with the Global Order, the OCA finds itself addressing issues already addressed by the Commission as to the adequacy of Verizon's current loop qualification information database. The PUC has already noted that the loop qualification database is inappropriate for CLECs. The loop qualification information currently provided to CLECs through Verizon's database continues to be inaccurate and interferes with a CLEC's ability to market to particular areas of Pennsylvania. Moreover, the loop qualification information provided by Verizon's database does not include information about *all* central offices.

In its initial Comments, the OCA submitted that Verizon should be required to provide CLECs with information regarding loop qualification at its central offices and, if applicable, an explanation as to why CLECs cannot provide xDSL service at a particular central office. OCA Comments at 25. Particularly, the OCA is concerned that CLECs either cannot determine or can only determine with great difficulty whether they are able to deploy xDSL to a particular customer or within a particular geographical area. CLECs need such loop qualification information to market xDSL to the

areas of Pennsylvania that do not, at this time, have access to such services.¹⁶ Id.

The OCA submits that Verizon must follow the directives in the Global Order that rejected as insufficient Verizon's mechanized loop qualification database, which has been referred to as "Live Wire." Verizon's inaction on this issue was also recognized in the recent Recommended Decision regarding UNE pricing. See generally UNE Pricing R.D.¹⁷ Administrative Law Judge Louis G. Cocheres stated in that Recommended Decision that the mechanized loop qualification information database currently being offered by Verizon has been "criticized and rejected in the Global Order["]¹⁸ Id. at 33. Judge Cocheres recognized that it has been "[a]pproximately, a year and a half" since the Global Order and that Verizon still does not offer CLECs access to LFACS.¹⁹ Id. He went on to recommend that the Commission require Verizon to make available to CLECs "the LFACS and similar databases through the OSS interface within 90 days of the entry of the Commission's order" in that

¹⁶ In the Global Order, the PUC stated that it will resolve conflicts concerning access to loop qualification information in the interest of obtaining "balanced deployment among rural, suburban and urban areas." Global Order at 116.

¹⁷ Further Pricing of Verizon Pennsylvania Inc.'s Unbundled Network Elements, Petition of Covad Communication Company For an Arbitration Award Against Bell Atlantic-Pennsylvania, Inc. Implementing the Line Sharing Unbundled Network Elements, Docket Nos. R-00005261, A-310696, Recommended Decision (Mar. 22, 2001)(UNE Pricing R.D.).

¹⁸ In the UNE Pricing proceeding, Verizon is also asking the PUC for permission to charge CLECs \$95.27 for the manual loop qualification information process that the PUC deemed inadequate in its Global Order. See generally UNE Pricing R.D. at 34-35.

¹⁹ LFACS is an automated system that would allow CLECs to obtain the following information: segment lengths by gauge, bridge tap location and length, loop composition, presence of pair grain equipment, load coil spacing quantity and type and the presence of Digital Line Carrier and Feeder Distribution Interface and the presence of remote concentration equipment. See Appendix A, OCA Interrogatories to Verizon, Nos. II-2 and 3.

proceeding. Id. Thus, it is well recognized that the loop database to which CLECs have access is inferior to the LFACS database that Verizon uses.

a. Verizon's Live Wire Loop Qualification Database Does Not Provide an Explanation as to Why a Loop Is Not Qualified.

The OCA submits that Verizon should be required to provide an explanation as to why a loop is not qualified without requiring a CLEC to resort to a manual loop qualification procedure for which CLECs incur a charge from Verizon.²⁰ Currently, when a loop is either not included in Verizon's database or the loop is not qualified for service, CLECs may request a manual loop qualification to determine why the loop is not qualified. UNE Pricing R.D. at 34 (citing Verizon M.B. at 22-23).

The OCA submits that Verizon's database should include, at least, all of the information accessible to Verizon through LFACS in accordance with the FCC's UNE Remand Order. That Order provides that:

[t]o permit an incumbent LEC to preclude requesting carriers from obtaining information about the underlying capabilities of the loop plant in the same manner as the incumbent LEC's personnel would be contrary to the goals of the [Telecommunications] Act to promote innovations and deployment of new technologies.

UNE Remand Order at 3886. Allowing CLECs to have access to LFACS, which includes information that ILECs use to inventory and track all facilities, would be a good starting point in providing CLECs with the information they need to determine why a loop is or is not qualified to provide xDSL.

In its Checklist Declaration, Verizon states that it has "enhanced the information

²⁰ The current charge to CLECs is approximately \$30.

available through [Live Wire] to include data on why a loop does not qualify.” Verizon Checklist Declaration at 78. Verizon concludes that Live Wire provides CLECs with “the only critical information” they need to determine why a loop does not qualify. Id. Verizon explains that for xDSL service the only critical information needed by CLECs is the loop load, the loop make-up, whether or not the loop is paired with a Digital Single Subscriber Carrier (DSSC), and whether or not the loop is in a binder group that contains T-1 services. Id. at 78.

The OCA submits that Verizon’s description of the critical information needed by CLECs may not include *all* the necessary information for a CLEC to determine why a loop is or is not qualified. For example, Verizon does not mention whether its enhanced Live Wire database provides CLECs with information regarding the presence of Digital Loop Carriers (DLC) at remote terminals. In its response to the interrogatories of OCA, Verizon stated that the LFACs database would provide, if available, such information to CLECs, as well as loop segment lengths by gauge, bridge tap location and length, loop composition, presence of pair gain equipment, load coil spacing quantity and type and Feeder Distribution Interface and the presence of remote concentration equipment. See Appendix A, OCA Interrogatories to Verizon, Nos. II-2 and 3.

Given the insufficiency of Verizon’s current loop qualification database and its non-compliance with the Global Order, the OCA submits that Verizon’s Section 271 application should not be granted until there is proof that Verizon’s loop qualification database provides a sufficient explanation as to why a loop is not qualified without resort to a manual loop qualification process that costs CLECs significant time and expense.

b. Verizon's Live Wire Loop Qualification Database Contains Inaccurate Information.

The OCA submits that the loop qualification information currently being provided by Verizon contains inaccurate information, and thus interferes with a CLEC's ability to deploy xDSL service to Pennsylvania consumers. At the Technical Conference held on February 28, 2001, Covad stated that Verizon's loop qualification database occasionally returns a zero foot distance on approximately 7% of Covad's requests with no additional information when the loop distance is obviously something other than zero. Feb. 28, 2001, Tr. 43, li. 8-11. In fact, 40% of loops for which Verizon's database recorded a zero foot loop length are actually qualified to provide xDSL. Comments of Covad at 28. Verizon explained that a zero foot loop length will be reported to CLECs in two instances: 1) if Verizon hasn't tested the pair of loops the database will return a zero or 2) if the pairs are greater than 18,000 feet, the database will return a zero. Feb. 28, 2001, Tr. 43, li. 12-25. Verizon explained that it is remedying this problem to include an explanation so that a CLEC could request manual loop qualification. *Id.* at Tr. 44, li. 4-14, Tr. 45, li. 2-10. The OCA notes, however, that if CLECs have to resort to a manual loop qualification procedure for every zero foot length reported in Verizon's database, those CLECs will have to incur a charge for a manual loop qualification.

The OCA submits that Verizon should be required to test all pairs of loops and should be required to report the actual length of all loops, including those over 18,000 feet in the database available to CLECs. The information on loop lengths currently provided by Verizon is incomplete. The OCA concludes that before Verizon's Section 271 application can be granted, Verizon must provide

CLECs with a loop qualification database that provides CLECs with correct and accurate loop qualification information.

- c. CLECs Should Be Able to Obtain Loop Qualification Information for a Geographic Area and Should Not Be Required to Submit an End-User Address to Obtain Information by Customer.

The OCA further submits that the process by which CLECs must now obtain loop qualification information interferes with a CLEC's ability to market xDSL service to a geographical area. At a Technical Conference held in this proceeding on February 15, 2001, Steve Broom, Manager with Sprint Broadband Local Networks (Sprint), stated that Verizon does not provide Sprint with loop qualification geographically by central office so that Sprint can explore the possibility of collocating at remote terminals. Feb. 15, 2001, Tr. 119, li. 18-22; see also Sprint Comments at 27. Mr. Broom went on to state that Sprint would like to know where Verizon's "digital loop carriers are, what central offices do they sub-ten[d], [and] what servicing addresses do they provide service to[.]" Feb. 15, 2001, Tr. 119, li. 23 to Tr. 120, li. 3.

At the February 15, 2001 technical conference, Verizon explained that the loop qualification database is designed as an inventory system where individuals can obtain loop qualification information by end-user address only. Feb. 15, 2001, Tr. 120, li. 11-21. Verizon further explained that the only way Sprint can obtain this information is by supplying addresses of potential xDSL customers to Verizon or through a manual process. Id. If Sprint wants to provide service in a given area, according to Verizon, it must manually obtain information about whether each central office in that area is equipped to provide DSL services. Id. at Tr. 120, li. 18-21.

The OCA submits that Verizon must be required to provide CLECs with loop

qualification information by central office or remote terminal rather than by customer address.

Attempting to deploy digital services by submitting customer addresses appears to be a very inefficient means of receiving the necessary information actually required to provide xDSL. It seems likely that many addresses in a given area may fail to have acceptable digital loops if they all share common problems. Therefore, a CLEC should not have to submit a customer's address in order to receive loop qualification information for a geographical area to which they wish to market DSL services. The OCA submits that a CLEC's ability to access loop qualification information for a given geographic area will more efficiently enable it to market to a particular area of Pennsylvania.

d. Verizon Should Have Loop Qualification Information Available on an Acceptable Loop Qualification Database for All Central Offices and Remote Terminals.

Finally regarding loop qualification information, the OCA submits that Verizon should have loop qualification information available for all central offices and remote terminals, even if there exists no CLEC collocation in these areas, as well as in those offices that do have collocation,²¹ in order for CLECs to make informed choices about their ability to provide xDSL. At the Technical Conference on February 28, 2001, Judge Schnierle expressed his understanding that central offices that have no collocation in place are not in the loop qualification database. Feb. 28, 2001, Tr. 158, li. 23 to Tr. 159, li. 2. Judge Schnierle stated that, if CLECs want to find out if any loops are useable for xDSL in central offices without collocation, they would first have to pay to have the central office collocated. Id. at Tr. 159, li. 10-16.

²¹ Verizon's Checklist Declaration provides that, as of November 2000, its loop qualification database included only 95% of central offices with collocation. Verizon Checklist Declaration at 78.

Verizon responded that it would provide such loop qualification information to CLECs where no collocation had taken place; however, it does not have such information available because there is no CLEC demand for such information. Feb. 28, 2001, Tr. 159, li. 3-9. Verizon stated that it has attempted to provide a data composite of information, including a percentage of central offices with the necessary loop make-up, a reading at the cross boxes, and an estimate as to how far a CLEC is from central office. Id. at Tr. 159, li. 17-25. However, Verizon has not notified CLECs as to the availability of this information. At the February 28 Technical Conference, Covad asked whether Verizon sent out industry letters informing CLECs that Verizon would be willing to provide such information and Verizon responded that they had not. Id. at Tr. 159, li. 9-14.

Verizon's excuse for not providing loop qualification information at central offices is that CLECs are not taking the initiative to gain access to such information. Verizon's inaction in providing CLECs with this information reduces the CLECs' potential for offering digital services to new areas. The OCA submits that Commission should order Verizon to have loop qualification information available for all central offices and remote terminals.

3. Unbundling DSLAMs.

The OCA also remains concerned that Verizon has not followed the directives of the Global Order in that it has not unbundled its Digital Subscriber Line Access Multiplexers (DSLAMs). Moreover, the OCA submits that Verizon has not provided access to multi-hosting DSLAMs for CLECs.

The OCA submitted in its initial Comments that competitive access to xDSL services is important to enhance competition in Pennsylvania and that CLECs should be able to purchase

unbundled DSLAMs from Verizon as a prerequisite to the granting of Verizon's Section 271 application. OCA Comments at 26-29. The OCA recognizes that many Pennsylvanians do not have access to xDSL services and in order for Verizon to provide long-distance services, it must be required, not only to make its DSLAMs available for sale to CLECs, but also to unbundle such DSLAMs elements. Furthermore, the OCA submits that Verizon should take the steps necessary to request DSLAM equipment vendors to develop multi-hosting DSLAMs in order to resolve partitioning issues. The OCA submits that Verizon's inaction thus far in making xDSL available to CLECs results in less competition in broadband deployment to Pennsylvania consumers.

In its initial Comments, the OCA noted Verizon's position on the sale of DSLAMs to CLECs. At the Technical Conference on February 1, 2001, Verizon stated that "[DSLAMs are] not a product that [Verizon] has to resell" because it has transferred such services to its separate data affiliate. Feb. 1, 2001, Tr.12, li. 25 to Tr. 13, li. 7, Tr. 15, li. 8-11. When asked about the D.C. Circuit Court of Appeals' decision in Association of Communication Enterprises v. Federal Communications Commission, No. 99-1441, 2001 WL 20519 (D.C. Cir. Jan. 9, 2001) (ACE), which held that the unbundling of advanced services cannot be avoided by placing such services in an affiliate, Verizon replied that "it has not made a final decision regarding the impact of ACE v. FCC, which is not yet a final, non-appealable judgment, and which arises out of an action to which Verizon Pa (or any Verizon entity) is not a party." See Appendix A, AT&T Interrogatory to Verizon, No. I-21. Verizon points to the UNE Remand Order for the proposition that advanced services equipment does not have to be unbundled. Id.

As the OCA explained in its initial Comments, Verizon must unbundle its advance

services, including DSLAMs, pursuant to the explanation in the ACE decision. Moreover, with regard to the availability of DSLAMs at remote terminals, the Structural Separation Order provides that “CLECs *shall* have access to DSLAM equipment in remote terminals, consistent with an industry standard.” Structural Separation Order at 36 (emphasis added). The Order goes on to state that an “industry standard shall be agreed upon by all parties in the context of technical workshops. Those elements which cannot be agreed upon may be presented to the Commission for resolution.” Id.

The PUC has highlighted the issue of unbundling DSLAMs in its Global Order and is taking further steps to solve that issue through the Structural Separation proceeding so as to ensure that Verizon unbundles DSLAMs. The PUC’s recognition of Verizon’s inaction as to the unbundling of DSLAMs emphasizes the importance of unbundling DSLAMs. Therefore, the OCA concludes that Verizon’s Section 271 application should not be granted until Verizon unbundles its DSLAMs at its central offices and at remote terminals.

Finally, the OCA submits that Verizon should be required to take reasonably necessary steps in the development of innovative technologies such as multi-hosting equipment for DSLAMs and to unbundle its DSLAM elements when such technology is developed. At the Technical Conference on February 15, 2001, Verizon quoted language in the Global Order to support Verizon’s proposition that present technology did not allow for partitioning of DSLAMs. To support its proposition, Verizon cited the following language of the Global Order:

In order to enhance the availability of DSLAM technology, industry members have suggested that they will request equipment vendors to develop multiple-hosting DSLAMs, and in doing so resolve related partitioning issues pertaining to network management, security, network reliability and operations. Upon resolution of these partitioning issues, multi-hosting or shared DSLAM arrangements will be available to CLECs through Tariff 216.

Feb. 15, 2001, Tr 21, li. 24 to Tr. 22, li. 8 (Statement of Verizon counsel Julia Conover); see also

Appendix A, OCA Interrogatory to Verizon, No. II-1, AT&T Interrogatory to Verizon, No. I-32.

Verizon went on to state that “our position . . . [is] that there are not multi-hosting or shared DSLAMs available today” and “that’s essentially a condition precedent to any obligation [in the Global Order]” to unbundle such DSLAM elements. Feb. 15, 2001, Tr 22, li. 9-23; id. at Tr. 102, li. 8-17.

The OCA submits that Verizon’s interpretation of the Global Order should not allow Verizon to take a hands-off approach by placing the burden of requesting DSLAM partitioning technology on other members of the industry. Again, the PUC has recognized the importance of the partitioning issue in its Global Order. The language of the Global Order relied upon by Verizon should not be interpreted to omit Verizon as an industry member. As a wholesale provider, Verizon should be interested in obtaining the latest technology and in making it available to CLECs.

It is unclear whether Verizon is now taking such steps. Verizon seems to be relying on CLECs to take the initiative. For example, in an interrogatory addressed to Rhythms Links, Verizon asks whether any steps have been taken by Rhythms to find a vendor to partition DSLAMs. See Appendix A, Verizon Interrogatories to Rhythm Links, Nos. I-4, I-5.²² Verizon should not be relying

²² Rhythm Link’s answer indicated that it has not approached any vendors to supply such services. See Appendix A, Verizon Interrogatories to Rhythms Links, Nos. I-4, I-5.

on CLECs to approach vendors regarding multi-hosting technology, but should also be taking action to provide multi-hosting technology for DSLAMs located in its central offices.

The OCA submits that Verizon cannot reduce its role of enhancing competition in Pennsylvania by placing the burden completely on CLECs. The evidence above indicates that Verizon is not unbundling DSLAMs and is taking an inactive approach to the development of multi-hosting DSLAMs, thus interfering with the xDSL competitive market. The PUC has recognized this problem in its Structural Separation Order and emphasized the need to make progress on this issue. Therefore, the OCA submits that Verizon's Section 271 application should not be granted until it not only makes its DSLAMs available for sale to CLECs, but also until Verizon takes a proactive approach to partitioning DSLAMs so that they can be unbundled for CLECs.

4. Line Sharing and Digital Line Carrier.

The OCA also remains concerned that Verizon is not providing line sharing over its fiber loops at remote terminals. In its initial Comments, the OCA submitted that Verizon should be required to provide line sharing services to CLECs for customers served by fiber loops in order to allow such customers access to xDSL services over such loops. OCA Comments at 29. The OCA concluded that line sharing over fiber loops through Digital Loop Carrier at remote terminals will allow a greater number of CLECs to reach customers in rural areas of Pennsylvania who do not currently have access to DSL services because loops are not long enough to reach their residences.²³ Id. at 29-30.

²³ The PUC and FCC also continue to be concerned with this issue. In the Structural Separation Order, the Commissioners stated that “[a] collaborative shall convene to address the design and deployment of fiber and New Generation Digital Line Carrier (NGDLC) and equal access to DSL over fiber.” Structural Separation Order at 37. The Commission noted that there is a national

Verizon has failed to meet deadlines in the past regarding line sharing implementation. At the February 15, 2001 Technical Conference Covad explained that Verizon has failed to meet past deadlines pursuant to a PUC Order,²⁴ and indicated that Verizon was already granted an extension pursuant to an arbitration award by the PUC. Feb. 15, 2001, Tr. 36, li.12-22.; see also OCA Comments at 29-30. Covad recognized that, with regards to fiber loops, Verizon announced a service called PARTS (Packet At the Remote Terminal Service), which it has provided to CLECs in a workshop held in New York. Feb. 15, 2001, Tr. 36, li. 24 to Tr. 37, li. 15. However, because there remain substantial questions concerning the implementation of PARTS, Verizon may not be able to meet its legal obligations set forth in the PUC Line Sharing Order through the PARTS method. Id. at Tr. 37, li. 6-15.

The OCA submits that Verizon should be required to meet the requirements set in previous deadlines for the implementation of line sharing over fiber before its Section 271 application is approved. In a February 15, 2001 Technical Conference, Verizon stated that it recognized that the FCC has stated that ILECs are going to be required to provide line sharing over fiber but explained that there are “literally half-a-dozen if not a dozen various technical issues that need to be addressed related

collaborative currently in place to discuss this issue and that the results of such collaborative must be submitted to the Commission no later than September 30, 2001. Id. The FCC, as well as the PUC, has recognized the importance of line sharing over fiber. The FCC has stated that “the requirement to provide line sharing applies to the entire loop, even where the incumbent LEC has deployed fiber in the loop, (e.g., where the loop is served by a remote terminal).” In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capabilities, FCC Docket Nos. 98-147, 96-98, Third and Fourth Report and Order at 3, (Jan. 19, 2001).

²⁴ Petition of Covad Communications Company for an Arbitration Award Against Bell Atlantic-Pennsylvania, Inc., Implementing the Line Sharing Unbundled Network Elements, Docket No. A-31069F0002, Opinion and Order (Nov. 15, 2000) (PUC Line Sharing Order).

to how long” it will take to provide line sharing over fiber. Feb. 15, 2001, Tr. 27, li. 16-25.

The OCA submits that to date Verizon has not installed the necessary equipment in its remote terminals to support line sharing over fiber. The OCA is concerned with the length of time that has elapsed and the lack of progress on this issue. Again, Verizon’s inaction reduces a CLECs ability to provide xDSL to Pennsylvania consumers who presently cannot obtain access to xDSL. Therefore, the OCA submits that Verizon’s Section 271 application should not be granted until Verizon allows for line sharing over fiber at its remote terminals in accordance with FCC and PUC Orders.

5. Conclusion

The OCA submits that the PUC should not recommend approval of Verizon’s Section 271 application to the FCC until the issues related to xDSL and noted above are fully addressed. First, Verizon has not complied with the mandates of the Global Order regarding loop qualification information. It has been over a year since Verizon was required to provide CLECs with an adequate loop qualification database, and Verizon has not yet complied with directives of the Global Order and other FCC and PUC Orders. Second, Verizon has not yet complied with the mandates of the Global Order regarding the unbundling of DSLAM equipment for sale to CLECs. Again, it has been over a year since the issuance of the Global Order. Moreover, Verizon claims that it does not have any DSLAMs to sell to CLECs because it has transferred such services to its advanced services affiliate. However, even though this action was deemed not to relieve Verizon of its duty to unbundle digital equipment by the D.C. Circuit Court of Appeals. Third, Verizon is not providing line sharing over fiber at its remote terminals despite the directives from the PUC and FCC on the matter.

The OCA submits that it is clear from the above discussion that past directives from the

PUC and/or FCC already exist on all issues raised in this section. It seems, however, that Verizon has not yet complied (or has argued that it is not required to comply) with these directives. As a wholesaler, Verizon should be making every effort to offer xDSL to CLECs. However, Verizon is placing the burden on CLECs to resolve issues where Verizon should at least take proactive steps to resolve these issues as a wholesaler. The OCA submits that Verizon's inaction in providing digital services reduces competition and prevents consumer access to such services, particularly in areas that do not, at this time, have digital services offered. These issues must be addressed before Verizon's Section 271 application can be granted.

E. Verizon Must Give CLECs Equal Access to Its White Page Listings.

1. Introduction

For Verizon to provide interLATA services, Verizon must meet all of the requirements of Section 271, 47 U.S.C. § 271. One of these requirements is Checklist Number 8 of Section 271. Checklist Number 8 addresses white pages directory listings. Checklist Item Number 8 requires CLEC to have access to “(w)hite pages directory listings for customers of the other carrier’s telephone exchange service.” 47 U.S.C. § 271(c)(2)(B)(viii). CLECs must be able to have their customers’ directory listings published in the white pages. Verizon’s tariff, the Pennsylvania PUC, and FCC have all required incumbents to include CLECs customers in their directories. Verizon PA Tariff, PA PUC No. 216, Section 2, First Revised Sheet 2; Performance Metrics Order at 125-127; Global Order at 251; SWBT Kansas and Oklahoma Order, ¶¶ 250-51; SWBT Texas Order, ¶¶ 352-58.²⁵ In order

²⁵ In the Matter of Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET I, INTERROGATORY NO. 15
OFFICE OF SMALL BUSINESS ADVOCATE DATED JANUARY 29, 2001 SUBMITTED IN
DOCKET M-00001435 BEFORE THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Senior Specialist - Wholesale Directory Listings

REQUEST:

Please provide the remedy provided to correct the omission or error in
the area directory first issued for 2000-2001 in those instances listed
in answer 13.

RESPONSE:

Verizon published addenda to remedy omissions of its customers'
listings from the Harrisburg and Williamsport/Lock Haven Directories.
Verizon also made sure that its customers' corrected listed information
was entered into the database, and, therefore, will appear on the tape
for, and be correctly included in, next year's directory.

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET I, INTERROGATORY NO. 5
OFFICE OF SMALL BUSINESS ADVOCATE DATED JANUARY 29, 2001 SUBMITTED IN
DOCKET M-00001435 BEFORE THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Senior Specialist - Wholesale Directory Listings

REQUEST:

For the 2000-2001 white pages directory, please provide in the same format as answer 4 whether a supplement to the particular white pages directory was issued or a notice to customers that certain listings were either omitted or erroneous.

RESPONSE:

Verizon Directory Services Pennsylvania, Inc. ("Verizon Directory Services") published 100 directory titles in Pennsylvania in 2000, consisting of several million individual listings. In the last year, Verizon Directory Services distributed addenda to three directories: the Harrisburg Directory; the Williamsport and Lock Haven Directories (these two directories have a common white page section so the addendum was distributed to the recipients of both); and the Pittsburgh Directory (which is scheduled to be mailed February 6, 2001).

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET 7, INTERROGATORY NO. 31
CTSI, INC. DATED FEBRUARY 2, 2001 SUBMITTED IN DOCKET M-10011488 BEFORE
THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Service Specialist - Wholesale Directory Listings

REQUEST:

State the number of directory listing errors, including incorrect and omitted listings, that Verizon Pa. and/or VIS committed for listings related to Verizon Pa.'s own retail end users in Pennsylvania (both as a whole number and as a percentage of the total directory listings prepared by Verizon Pa. and/or VIS on behalf of retail and users). Include all errors identified by Verizon Pa. and/or VIS, as well as those errors identified by the retail customer(s), for each month since January 1997.

RESPONSE:

Verizon PA objects to the request to provide information "for each month since January 1997", on the grounds that the request is burdensome and irrelevant, and information dating back to January 1997 is irrelevant. In support of this objection, Verizon PA responds as follows:

During the year 2000, 1,156 directory listing errors were reported to VIS for Verizon PA retail customers. The reports of errors received by Verizon PA are not tracked. There are approximately 4.8 million published directory listings, which includes customers of Verizon PA and CLECs and independent telephone companies doing business in Pennsylvania.

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET III, INTERROGATORY NO. 9
OFFICE OF CONSUMER ADVOCATE DATED FEBRUARY 5, 2001 SUBMITTED IN DOCKET
M-00001435 BEFORE THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Senior Specialist - Wholesale Directory Listings

REQUEST:

Was an investigation done as to the cause of the loss of the listings?

RESPONSE:

Verizon PA objects to this request on the grounds that the relevant time period is not specified. Subject to this objection, Verizon PA responds as follows:

In the course of correcting individual listings omissions, the cause of the omission may be discovered. In addition, the cause of listings omissions will be investigated if the reported number of listings omissions indicates a process or system problem.

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET III, INTERROGATORY NO. 6
OFFICE OF CONSUMER ADVOCATE DATED FEBRUARY 5, 2001 SUBMITTED IN DOCKET
M-00001435 BEFORE THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Senior Specialist - Wholesale Directory Listings

REQUEST:

Please provide the number and percentage of residential customers who
were omitted from the white pages listings.

RESPONSE:

Verizon PA objects to this interrogatory as vague and ambiguous because
it does not specify the time period for which data are requested.
Subject to this objection, Verizon PA responds as follows:

Verizon PA does not track this data.

RESPONSE OF VERIZON PENNSYLVANIA INC. TO SET III, INTERROGATORY NO. 7
OFFICE OF CONSUMER ADVOCATE DATED FEBRUARY 5, 2001 SUBMITTED IN DOCKET
M-00001435 BEFORE THE PA PUC (PA-271)

ANSWERED BY: Stephen M. Savino

POSITION: Senior Specialist - Wholesale Directory Listings

REQUEST:

How many total, if any, Verizon customers were dropped from the Verizon
white pages in the last white pages printing?

RESPONSE:

Verizon PA objects to this request because use of the phrases "dropped"
and "last white pages printing" is vague and ambiguous. Subject to this
objection, Verizon PA responds as follows:

Verizon PA does not track this data. See response to CTSI Set I-30.



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**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held August 26, 1999

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
David W. Rolka
Nora Mead Brownell
Aaron Wilson, Jr.

Docket No.
P-00991648

Joint Petition of Nextlink Pennsylvania, Inc.;
Senator Vincent J. Fumo; Senator Roger Madigan;
Senator Mary Jo White; the city of Philadelphia;
The Pennsylvania Cable & Telecommunications
Association; RCN Telecommunications Services of
Pennsylvania, Inc.; Hyperion telecommunications,
Inc.; ATX Telecommunications; CTSI, Inc.; MCI
Worldcom; and AT&T Communications of
Pennsylvania, Inc. for Adoption of Partial
Settlement Resolving Pending Telecommunications
Issues

P-00991649

Joint Petition of Bell Atlantic Pennsylvania, Inc.,
Conectiv Communications, Inc.; Network Access
Solutions; and the Rural Telephone Company
Coalition for Resolution of Global
Telecommunications Proceedings

OPINION AND ORDER