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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Petition of AT&T Communications of Virginia, Inc., Pursuant to Section 252(e)(5) of the Communications Act, for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon-Virginia, Inc.	))))))))))	CC Docket No. 00-251

DIRECT TESTIMONY OF
WILLIAM SOLIS
ON BEHALF OF AT&T[1]

PROPRIETARY VERSION

ISSUES ADDRESSED	
Issue V. 12.a	Should Verizon Commit To A Three Calendar Day Porting Interval?
Issue V.12	Should Verizon Be Required To Support Off Hours Porting?
Issue V.13	Should Verizon Be Required To Receive Confirmation Of A Port From NPAC Prior To Disconnecting A Ported Number?
Issue V.7III.2	Should Verizon Commit To Specific Intervals For Local Number Portability Provisioning For Larger Customers?

JULY 31, 2001

[1] This Affidavit is presented on behalf of AT&T Communications of Virginia, Inc., TCG Virginia, Inc., ACC National Telecom Corp., MediaOne of Virginia and MediaOne Telecommunications of Virginia, Inc. (together, "AT&T").

Q. PLEASE STATE YOUR NAME, EMPLOYER, AND QUALIFICATIONS.

A. My name is William Solis. My business address is 10800 E. Geddes Ave, Englewood, CO 80112. I am employed as Vice President of Telephony Provisioning Operations for AT&T Broadband. I have worked in the telecommunications industry since 1994, being employed initially by former TCG (which was acquired by AT&T several years ago) and have held a wide range of positions ranging from Project Manager of Outside Plant Fiber Optic Deployment during the construction of our 174 mile network ring in the Denver Local Market to Operations and Outside Plant Manager for the Denver Market. I took on the role of Manager and then Director of Public Markets provisioning and call center operations in 1997 and 1998, respectively, overseeing our support of our Branded National Residential initiatives and also overseeing wholesale-type support for our cable affiliate strategic partners (*i.e.* Cox, Comcast, TCI , and Continental). Concurrently, in late 1998 and 1999, I took on the additional responsibilities of overseeing our Business Service Provisioning as Director of Provisioning for the Ameritech Regions and, for a short time period, the Bell South Region for all HICAP Business Services sold to our customers. In 2000, I transferred over and followed the growing AT&T Broadband Residential initiative as Executive Director of Telephony Provisioning Operations supporting our growing National Telephony Provisioning responsibilities. I was named Vice President when we expanded operations. Currently, I oversee the Telephony Provisioning for ATT Broadband for 14 of the 17 Owned and Operated Markets, our Commercial Small

Business initiatives, as well as our Affiliate Relationship with Insight, and our Non-Owned and -Operated MDU initiatives nationwide. I also have Field Operations Corporate oversight support for Telephony and High Speed Data for the technicians that are being dispatched to the customer premise to complete the installations.

Q. EXPLAIN THE PURPOSE OF YOUR TESTIMONY.

A. I have been requested by AT&T to provide testimony regarding number portability issues raised in this arbitration. Specifically, I will address the following issues:

Issue V.7.	Should Verizon Commit To Specific Intervals For Local Number Portability Provisioning For Larger Customers?
Issue V. 12	Should Verizon Be Required To Support Off Hours Porting?
Issue V.12.a	Should Verizon Commit To A Three Calendar Day Porting Interval?
Issue V.13	Should Verizon be required to receive confirmation of a port from NPAC prior to disconnecting a ported number?

Q. PLEASE PROVIDE A BRIEF DESCRIPTION OF NUMBER PORTABILITY?

A: Local number portability ("LNP") provides the capability for customers to retain their telephone number when they change from one local exchange carrier ("LEC") to another. Most customers prefer to keep the number they have when they change providers. Without LNP, competitive LECs would have a more difficult time convincing customers to switch to their service. Thus, LNP is critical to the development of competition, and that is why the Telecommunications Act of 1996 requires all LECs to provide it.

Q. WHY IS A FLAWLESS, EFFICIENT AND TIMELY NUMBER PORTABILITY PROCESS IMPORTANT TO AT&T?

A: The majority of AT&T's customers choose to port their numbers. Therefore, one of the first experiences a new customer has with AT&T as its local provider is the porting of their number. When a port is not done properly or not done within a reasonable period of time, the customer blames AT&T, and the adverse effect on AT&T's reputation is devastating. Thus, it is vitally important that the porting issues described in my testimony be resolved in a way that will enable AT&T to effectively compete with Verizon. AT&T is simply asking for reasonable committed timeframes for porting, an agreement to provide porting during off-hours, as Verizon provides for its customers, and a commitment to engage in a simple porting procedure that minimizes the risk that customers will lose their dial tone during the porting process.

ISSUE V. 12.a	Should Verizon Commit To A Three Calendar Day Porting Interval?

Q. WHY MUST AT&T BE ABLE TO PORT A CUSTOMER'S TELEPHONE NUMBER WITHIN A THREE DAY CALENDAR INTERVAL?

A. In today's fast-paced world, customers want service installed quickly and AT&T wants to be able to install that service quickly. Once a customer orders AT&T service, AT&T wants that customer on AT&T's service as quickly as possible. Delay frustrates the customer, delays the time when AT&T may begin billing the customer and collecting revenues and, equally problematic, benefits Verizon by allowing Verizon to keep the customer that much longer. Being able to take a customer's order and provision service within three days, a reasonable timeframe

possible given today's systems, wins customers. AT&T's contract language requiring a three day porting interval for simple POTS lines should be approved.

Q. IS PORTING NUMBERS DIFFICULT UNDER THE CURRENT GUIDELINES FOR PORTING INDIVIDUAL POTS LINES BETWEEN WIRELINE CARRIERS?

A. Not at all. There are five simple, mechanzied steps necessary to implement number porting between wireline carriers:

(1) AT&T sends a local service request ("LSR") electronically to Verizon requesting that a number be ported on a certain date.

(2) Industry standards obligate Verizon to provide a Firm Order Confirmation ("FOC")[1] within twenty four (24) hours of receiving the LSR to confirm the port date.

(3) Upon receipt of the FOC, AT&T contacts Number Portability Administration Center ("NPAC") and issues the Create Subscription order.

(4) Verizon has eighteen hours after the Create Subscription order to confirm or deny the port date with NPAC. If Verizon does nothing within the eighteen hours, the Create Subscription order is automatically confirmed and AT&T can port the number on the requested date.

(5) Prior to the port due date, Verizon must set the unconditional 10-digit trigger in its switch. This will allow AT&T to port the number away on the requested due date. The software work involved with setting the 10-digit trigger can be done at any time and is relatively simple to perform. Currently, Verizon automatically disconnects the translations from the switch at 11:59 pm on the requested due date.[2]

Q. IN LIGHT OF THIS PROCESS, IS AT&T'S PROPOSED THREE-DAY CALENDAR INTERVAL REASONABLE?

A. Yes. The only immutable timeframes in the port process for a simple POTS line are the 24-hour window within which the ILEC must return a FOC and the 18-

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[1] This is also referred to as the Local Service Request Confirmation ("LSRC").

hour window within which the ILEC may change its mind and deny the port date with NPAC. Given those two timeframes, a port could occur as quickly as 36 hours after an LSR is submitted. Double that time, three days, is certainly more than a reasonable window within which two carriers with automated systems can port a simple POTS line.

Q. IS IT TECHNICALLY FEASIBLE TO PORT SIMPLE POTS LINES WITHIN THREE CALENDAR DAYS?

A. Yes. Qwest has recently agreed to a three-day porting interval for ports of less than five POTS lines. According to Qwest's website,[3]

> The following due date intervals will be used when discontinuing service. Inward activity due dates are dependent upon the type of service being disconnected by Qwest.

Type Of Service	Service Orders	Service Interval- Includes FOC
Simple IFR or IFB	1 - 5 Lines	3 Business Days

Moreover, AT&T has also committed to port simple POTS lines back to Verizon or to other carriers within three calendar days. If Qwest and AT&T can port simple POTS lines within three days, Verizon can do the same. AT&T's contractual language on this point should be accepted.

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2 Verizon's own website contains a similar recitation of the fairly simple process involved in porting a telephone number out of Verizon's network. See http://www.bell-atl.com/wholesale/html/handbooks/clec/volume_3/c3s5_1.htm.

3 http://www.qwest.com/wholesale/pcat/lnp.html#order

Issue V. 12 Should Verizon Be Required To Support Off Hours Porting?

Q. IS NUMBER PORTABILITY DURING OFF-HOURS CRITICAL TO AT&T'S ABILITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE SERVICE TO VIRGINIANS? IF SO, WHY?

A. Yes. Customers want the convenience of weekend or evening installations. AT&T needs Verizon's support to provide such off-hour porting but, not surprisingly, Verizon is reluctant to give it because Verizon does not want to make it any easier for AT&T to provision service to customers who in all likelihood are leaving Verizon.

Q. DO CUSTOMERS GENERALLY PREFER OFF-HOUR INSTALLATION APPOINTMENTS?

A. Yes. Residential customers generally prefer the convenience of weekend and evening appointments. In many families, both spouses work outside the home and are unavailable during weekdays. In Pittsburgh, AT&T currently schedules the installation of approximately 200 to 220 customers every Saturday, and could do an equal number on Sunday if Verizon would agree. .[4] Indeed, customers are willing to wait on AT&T just to get Saturday installation. The average wait for a Saturday installation appointment is three weeks, compared to the 6-8 business day wait for a weekday appointment. The fact that AT&T's Saturday installation appointments are full for weeks in advance confirms customers' desire for the more convenient installation times.

There is no reason to believe that Virginia consumers would not similarly line up for the same convenient installation dates. In response to this demand, and

[4] Verizon has not provided AT&T with the necessary support in Virginia. Therefore, AT&T does not today install ported numbers on weekends or evenings in Virginia.

in an effort to increase its market share, AT&T would install service for customers seven days a week, if Verizon would provide full support for off-hour porting.

Q. IS OFF-HOUR SUPPORT FOR NUMBER PORTABILITY TECHNOLOGICALLY SIMPLE?

A. Yes. The vast bulk of the work necessary to enable Verizon to support porting numbers out-of-hours is system-and software-dependent, and is already in place. Only minimal modification to current methods and procedures would be necessary to provide technical support for those instances where porting is unsuccessful, thus requiring restoration of service to Verizon to assure the end-user maintains dial tone.

Q. DOES THE WORK EFFORT CHANGE WHEN A CLEC PORTS A TELEPHONE NUMBER FROM AN ILEC DURING OFF-HOURS, COMPARED TO WHAT OCCURS DURING "NORMAL" BUSINESS HOURS?

A. No. A off-hours port requires nothing more than a port during regular business hours.

The issue, however, is what happens if there is a problem. In those few instances where the port does not complete successfully, AT&T needs Verizon's support to resolve the problem so that the customer is not left without telephone service. Verizon does not want to provide the same support off-hours that it currently provides during regular business hours, even though that support is minimal and even though AT&T is more than willing to pay for it.

Q. WHAT SUPPORT DOES AT&T NEED TO PORT A NUMBER FROM VERIZON DURING OFF-HOURS?

A. AT&T requires only the following limited support to facilitate AT&T's ability to provide customers with off-hour installations:

1. Verizon Must Accept Orders From AT&T With A Saturday Or A Sunday Due Date.

Verizon must allow AT&T to send orders into Verizon's systems with a Saturday or a Sunday due date listed on the LSR. Currently, if AT&T sends an order into Verizon's system with a Saturday or a Sunday due date, Verizon's system will automatically reassign the due date to the next business day, typically a Monday.[5] This is unnecessary. Even if Verizon has not determined what would be needed to reconfigure its systems to accept an order for a Saturday or a Sunday port, Verizon should be required to do so for its *wholesale* customers—particularly in light of the fact that Verizon manages to provide its *retail* customers with weekend installation dates.

2. Verizon Must Provide AT&T With Limited Technical Support.

There will be occasions where AT&T is scheduled to install a customer at 7pm on a Monday night or at 2pm on a Sunday afternoon, but for one reason or another, *e.g.* the rare event where there is an error in AT&T's or Verizon's system or a customer cancellation at the last minute, the install does not occur. In these

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[5] VZ-VA response to AT&T I-41: Verizon systems will accept an order to port a telephone number on a Saturday or Sunday and reassign the first subsequent business day, which would typically be a Monday unless it is a holiday. The confirmed due date will be the first business date subsequent to the weekend requested. Verizon business practices do not include assignment of weekend due dates. Because weekend due dates are not included in our business practices, Verizon has not assessed the modifications, cost, and implementation time frame to modify our systems to accept non-business day due dates. Copies of all data responses referenced in this testimony are attached hereto as Exhibit 1.

1 instances, to ensure that the end user customer does not lose dial tone and the
2 ability to receive inbound calls, AT&T will need a Verizon technician to stop the
3 port.[6] Specifically, Verizon will need to stop the automatic batch processing of
4 the translations disconnect for the line.[7]

5 To resolve this issue, AT&T requests that Verizon maintain personnel on a
6 standby basis to assist in any emergency repairs or restoration required during the
7 off-business hour porting process. AT&T is willing to compensate Verizon for
8 the incremental cost of Verizon personnel made available outside of business
9 hours for purposes of handling troubles related to off-hour ports.[8]

10 This is no different than the limited technical support that Verizon
11 acknowledges that it currently provides to its own customers during off-hours to

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6 Stopping the port on or close to the requested due date is typically referred to as a "snapback." Verizon currently provides snapback support for ports which occur during business hours. If Verizon's systems checked with NPAC to verify that AT&T actually ported the number prior to disconnecting the translations for the ported number, AT&T would need technical support only in the very rare case where AT&T activated the port in error. For example, if AT&T erroneously activated the port before having the line ready, AT&T would need a Verizon personnel sitting in front of a computer to contact NPAC and confirm with NPAC that Verizon would accept the customer's number. This is a very unlikely scenario which only rarely occurs.

7 Under Verizon's current, incomplete, porting solution, Verizon sets the unconditional 10-digit trigger for Monday at 11:59 pm. This means that, when AT&T ports a customer's number on Saturday, Verizon does not remove the translations for the customer's number until Monday night. For Saturday and Sunday ports, setting the trigger for Monday night helps avoid a customer's loss of dial tone. Should something go wrong with the port on Saturday or Sunday, AT&T and Verizon can work together on Monday to ensure that the translations remain in Verizon's switch and the customer loses neither dial tone nor the ability to receive inbound calls. However, for an off-hour port that occurs, for example, Monday at 7 pm, Verizon will automatically remove the translations for the customer's number unless the translations work is reversed before 11:59 pm Monday. Having a Verizon technician on call would enable AT&T to port a customer's number in the evening without risk of the customer losing dial tone or inbound calling. Similarly, if Verizon were to verify with NPAC that the port had actually occurred before removing the translations for the customer's number, Verizon would not even need to provide this limited support.

8 This would not include Verizon personnel involved in removal of the 10-digit trigger and customer translations or any repairs and restoration required at such time.

conduct repairs for troubles that occur over the weekend.[9] In fact, it is significantly less support than Verizon apparently provides for its own retail customers. Verizon currently installs local exchange service for residential customers during off-hours. That effort often involves the dispatch of a field technician to the customer premises and/or to the central office to install the service. If Verizon dispatches technicians to the field to serve its customers on a weekend, it should certainly be required to provide the lesser level of technical support thath AT&T is requesting here.

Moreover, the emergency port-back procedure AT&T is requesting is currently in use between the parties. There is no reason why Verizon's existing weekend staff could not handle the occasional need for this emergency work. Verizon's existing weekend staff is there to ensure that Verizon's customers do not lose dialtone and to restore that dialtone, if lost. If maintaining its own customers' dialtone merits a weekend staff, than maintaining dialtone and inbound call termination capabilities for AT&T's newly ported customers should merit the occasional use of that weekend staff. Without this critical, but minimal, amount of support, Verizon is effectively precluding AT&T from offering its customers the convenience of off-hours installations.

3. Verizon Shall Ensure That Its Service Order Administration Connectivity To NPAC Is Available To Permit Off-Hour Installations.

Verizon should ensure that its Service Order Administration ("SOA") connectivity to NPAC is available for processing all required number portability

[9] Verizon Response to AT&T I-39.

activities at all times.[10] Given Verizon's admission that its "SOA connectivity to NPAC is available for processing all required number portability activities all the time except industry agreed upon Service Provider maintenance windows," Verizon can provide this support quite readily.[11]

4. Verizon Must Discontinue Billing A Ported Customer At The Date And Time The Port Is Activated, As Reported By NPAC To Verizon.

To avoid double-billing the end user customer, Verizon must discontinue billing a ported customer at the date and time the port is activated, as reported by NPAC to Verizon. Currently, Verizon discontinues billing as of the due date on the LSR, regardless of whether that is actually the date on which the number was ported to AT&T.[12] For example, under the existing *ad hoc* Saturday porting arrangement in Pittsburgh, if AT&T wants to port a customer's number on a Saturday, AT&T sends in a LSR with a Saturday due date which Verizon replaces with a Monday due date. Verizon then discontinues the billing as of Monday—not the requested Saturday date on which the customer's number was ported to AT&T and on which AT&T established service to the customer.

The over-billing by Verizon is troublesome on several levels. First, and most importantly, Verizon is billing the customer for service it is not providing to

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10 The one exception is during maintenance "windows." One Sunday every month, NPAC shuts down its systems from 6am to noon central time for maintenance. Although AT&T would not be able to provision ports during this once monthly maintenance window, the fact that NPAC is unavailable to process ports for a few hours a month is certainly no reason to absolve Verizon of the duty to provide off-hour porting generally and to allow AT&T to install service to customers at the customers' preferred times.

11 *See* Verizon Response to AT&T I-42.

12 Verizon acknowledged that it terminates the billing of the customer on the due date stated on the LSR. VZ-VA response to AT&T I-40 ("The bill cease date is the date the Verizon order is due dated. The due date is the disconnect date confirmed with the requesting CLEC.") Currently, when AT&T wants to port a customer on a Saturday, AT&T sends an LSR with a Saturday due

the customer in violation of its tariff requirements. This could even be construed as cramming the customer, i.e. placing a charge on the customer's bill for service the customer did not order or, as in this event, had already cancelled. Second, and certainly more problematic for AT&T, it may appear to the end user that AT&T is responsible for the over-billing. The result is that Verizon, through its actions, is putting AT&T's service — through no fault of AT&T — in a bad light. Third, because of the over-billing, the customer may very well call Verizon to request a credit. When this occurs, Verizon now has an opportunity to sell the customer Verizon's local service – i.e., to encourage the customer to switch back to Verizon. Thus, Verizon gets undeserved revenues from the customers who fail to complain about the overbilling and gets a sales opportunity for the ones who do. Full off-hours porting will resolve those problems.

Q. DOES VERIZON PROVIDE OFF-HOUR INSTALLATIONS AND MAINTENANCE TO ITS OWN RESIDENTIAL AND BUSINESS CUSTOMERS?

A. Yes. Throughout negotiations and in this arbitration, Verizon has claimed that it does not provide off-hour installations to its own customers and therefore should not be required to do so for CLEC customers.[13] But in response to a series of data requests, Verizon acknowledged that it has a tariffed offering for "Premium Installation Appointment Charge," which is nothing more (or less) than installation of a residential or business line during non-business hours, *i.e.* weekends and evenings:

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date which Verizon rewrites to a Monday due date. Under this scenario, the customer is double billed for as many as three days of service – Saturday, Sunday and Monday.

[13] Response of Verizon Virginia, Inc. to the Issues List Filed by AT&T, *In re Applications of AT&T Communications of Virginia, et al, for Arbitration of Interconnection Rates, Terms and Conditions And Related Arrangements With Verizon Virginia, Inc. Pursuant To Section 252(b) Of The*

> Verizon Virginia offers installations to customers during business hours. *Upon request from a residential customer Verizon Virginia may provide out-of-hours installation based on workforce availability and the customer's acceptance of a premium installation appointment charge.* Upon request from a business customer, Verizon Virginia will negotiate an out-of-hours installation based on advance notice from the customer, availability of appropriate workforce, and willingness by the customer to pay appropriate time and material rates. Depending on the requested time of the installation, the time and material rate could involve an overtime or premium rate.[14]
>
> Premium Installation Appointments are currently available.[15]

Verizon also specifically admitted that it provides installation and maintenance to residential and business customers outside of standard business hours.[16]

Given that Verizon offers weekend and evening installations to residential and business customers, Verizon should certainly be compelled to provide the limited support AT&T needs to provide the same weekend and evening installations to Virginians wishing to transfer from Verizon's local exchange service to AT&T's local exchange service.

Q. HAS VERIZON AGREED TO CONTRACT LANGUAGE REGARDING OFF-HOUR PORTING?

A. No—and this persistent refusal is curious in light of Verizon's practices in other jurisdictions. Today, in Pennsylvania, and in Massachusetts, Verizon facilitates weekend number porting for AT&T's local telephony operations on a business to business basis. Although the solution offered is not complete, it works and permits AT&T to install customers on Saturdays in these areas.

Telecommunications Act of 1996, VA SCC Case No. 000282, filed 11/14/2000, at 59 ("Nor does VZ install any new service orders for its own customers over the weekend").

14 VZ-VA Response to AT&T I-43 (emphasis added).

15 VZ-VA Response to AT&T Data Request I-44(f).

Regardless, in Virginia, Verizon has refused to put any language in the contract regarding off-hour porting. Verizon would not even reduce the incomplete solution it currently offers in Pennsylvania and Massachusetts to contract language for AT&T in Virginia.

Q. IS VERIZON'S REFUSAL TO INCLUDE ANY CONTRACT LANGUAGE ON OFF-HOUR PORTING REASONABLE?

A. No. AT&T ports numbers on Saturdays in Pennsylvania and Massachusetts under the terms and conditions of an unwritten agreement. The *ad hoc* nature of this process is a wholly inadequate way to conduct business. Without binding contractual language, Verizon could alter the terms and conditions under which it provides this inadequate solution without notice or accountability to AT&T.

Q. WHY IS THE PROCESS VERIZON CURRENTLY OFFERS IN PENNSYLVANIA AND MASSACHUSETTS INADEQUATE?

A. It raises a number of issues and problems that could be avoided if Verizon would support off-hours porting the same way it does business day porting. I've already described how it inconveniences customers by denying them any ability to schedule Sunday installations, and how it results in some double billing when AT&T starts its billing on Saturday when it acquires the customer but Verizon does not stop its billing until Monday night. There is also the potential for customer confusion regarding repair issues. In Verizon's records, Verizon is the provider of record until Verizon disconnects the service on Monday night. If a customer mistakenly places a repair call to Verizon instead of AT&T between the Saturday port and Verizon's Monday disconnect, there is likely to be some

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[16] VZ-VA Response to AT&T I-39.

confusion in getting the service repaired. Clear requirements for off-hours porting would alleviate these issues.

Q. IS IT IN VERIZON'S INTEREST TO FACILITATE CLECS' ABILITY TO PORT CUSTOMERS?

A. No. Verizon has a strong disincentive to facilitate AT&T's off-hour installations, because off-hours installations will enable AT&T to more effectively compete with Verizon. Because the vast majority of porting moves customers away from Verizon, it is in Verizon's best interests to limit porting hours as much as possible. That may serve Verizon, but it is not in the best interests of consumers and certainly impedes the development of competiton.

ISSUE V.13	Should Verizon Be Required To Receive Confirmation Of A Port From NPAC Prior To Disconnecting A Ported Number?

Q. WHY SHOULD VERIZON RECEIVE CONFIRMATION OF A PORT FROM NPAC PRIOR TO DISCONNECTING A PORTED NUMBER?

A. Requiring Verizon to take this step would protect consumers from losing dial tone in the event that a port is not successful, no matter whether it was Verizon or AT&T which failed to perform a task needed for the successful coordination of the port. This practice is particularly useful in the event that a port turns out to be unsuccessful at the last minute.

Q. WHAT ARE SOME POSSIBLE REASONS WHY A PORT WOULD BE UNSUCCESSFUL AT THE LAST MINUTE?

A. Several different reasons can lead to a number not being ported on the requested due date. There could be an error in AT&T's systems. There could be an error in

Verizon's systems. The customer could reschedule or cancel the installation order as late as when the winning carrier's technician arrives at the door to install service.

Q. WHAT IS VERIZON'S CURRENT PRACTICE FOR REMOVING THE TRANSLATIONS FOR A PORTED NUMBER?

A. Currently, Verizon automatically removes the translations for the ported number at the end of the port window, regardless of whether it has obtained confirmation from NPAC that the port was successful. Specifically, in response to AT&T's Data Request 1-47, Verizon stated:

> Verizon does not confirm with NPAC that a port has been activated and completed prior to disconnecting the telephone number from its switch. For non-coordinated LNP orders, Verizon works its disconnect orders from the due date confirmed with the requesting service provider. The service for these porting requests are disconnected after 11:59pm of the agreed upon due date. For LNP orders that are coordinated, Verizon disconnects the service after contacting the new service provider on the agreed upon due date and receiving the go ahead to complete the porting request.

Q. DOES THIS CURRENT PRACTICE PLACE VIRGINIA CONSUMERS AT AN UNACCEPTABLE LEVEL OF RISK?

A. Yes. By disconnecting service prior to obtaining confirmation, Verizon is jeopardizing consumers' dial tone. To add insult to injury, Verizon's refusal to verify that the port has completed foists upon AT&T 100% of the responsibility for protecting that customer's dialtone. Even if the problem was caused by Verizon, in many cases the consumer will perceive AT&T as being responsibleand may chose to remain with Verizon.

Verizon should be required to share the responsibility for protecting customer dial tone by obligating it to verify the completion of the port with NPAC

prior to removing the customer's number from its switch. Requiring Verizon to verify with NPAC that the port was completed prior to removing the number from Verizon's switch protects the customer and fairly distributes the responsibility of protecting the consumer's dialtone between the winning carrier and the losing carrier.

Q. WHAT IS INVOLVED WITH OBTAINING CONFIRMATION OF A PORT FROM NPAC?

A. NPAC does not send confirmation of port completion to either carrier. Carriers must link or query the NPAC's systems to obtain confirmation that the port successfully completed.

This is not a huge effort. Carriers involved in porting, including Verizon, are already linked to NPAC's systems for other aspects of the port process. Given that the link already exists, Verizon can easily configure its existing systems to query NPAC's system for conformation of the port completion.[17]

Q. IS IT TECHNICALLY FEASIBLE FOR VERIZON TO QUERY NPAC'S SYSTEMS TO CONFIRM THE PORT COMPLETION?

A. Yes. Bell South has done it. Bell South knows in real time whether and when a port has successfully completed. Bell South does not remove the translations for a ported number from its switch unless and until it locates the NPAC confirmation of the port completion. Section 5.3.6 of Bell South LNP Reference Guide: Interconnection Services states "BellSouth LCSC does not issue the Disconnect

[17] On page 149 of Verizon's Answer, Verizon inaccurately suggested that AT&T was asking Verizon to leave all number portability orders "open-ended" by suggesting that Verizon must await notification from NPAC prior to removing the customer's telephone number from Verizon's switch. Verizon inaccurately characterizes AT&T's position. AT&T is not suggesting that Verizon leave all number porting orders "open-ended." AT&T is simply recommending that, prior to removing the translations for the customer's number from the switch on the scheduled due date, Verizon contact NPAC's database to confirm that the port was in fact successful.

service order until notification of CLC Activate SV is received from NPAC for all TNs on the LSR. This is done to avoid disruption to end-user service." Verizon should do the same to protect customers' dialtone.

Q. IS IT ENOUGH TO RELY ON THE LSR AND TO USE THE SCHEDULED DUE DATE AS THE DATE ON WHICH THE TRANSLATIONS FOR THE PORTED NUMBER ARE REMOVED?

A. No. In its Answer, Verizon points to the Local Service Request ("LSR") which the CLEC sends to Verizon as the authorization for Verizon to remove the customer's number from its switch on the due date.[18] Verizon misses the point. The LSR contains the dates on which both Verizon and the CLEC will perform the work, presuming that all goes as planned. However, even Verizon acknowledges that the best laid plans sometimes go awry:

> If the work cannot proceed as agreed upon, the party that needs to reschedule or cancel the requested work is obligated to contact the other party with the appropriate documentation, a supplemental LSR. This provides a documented communication for any changes in the work request.

Q. IS THE SUPPLEMENTAL LSR PROCESS ADEQUATE TO PROTECT A CUSTOMER'S DIALTONE IN THE EVENT THAT A PORT CANNOT BE COMPLETED ON THE ORIGINALLY AGREED UPON DUE DATE?

A. No. Consider this example. Both AT&T and Verizon have done all of the advance work that they need to do to transfer service from Verizon to AT&T. However, on the scheduled due date, the AT&T technician arrives at the customer's door at the scheduled afternoon appointment and the customer tells AT&T that he has changed his mind. He wants to remain with Verizon. Under Verizon's construct, AT&T would have to submit a supplemental LSR and walk

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[18] *See* Exhibit A to Verizon's Answer, filed May 31, 2001, at 149.

it through Verizon's systems to ensure that the translations for the customer's number were not removed as scheduled at 11:59 that night, less than 12 hours away.

Q. WHEN A CUSTOMER LEAVES AT&T TO RETURN TO VERIZON, DOES AT&T OBTAIN CONFIRMATION FROM NPAC PRIOR TO REMOVING A PORTED NUMBER FROM ITS OWN SWITCH?

A. Yes. AT&T adheres to this basic customer protection measure today. Under AT&T's current procedures, AT&T does not disconnect the translations for ported numbers until one day after the due date, and AT&T only disconnects the translations upon obtaining confirmation from NPAC that the port was successful. For example, if AT&T agreed to port a number on Monday, AT&T would search NPAC's systems to verify that the port was successful on Tuesday. Once AT&T has found the NPAC confirmation of the port, AT&T will disconnect the ported number in the switch. AT&T's procedures are designed to protect the end user customer from any possible loss of dialtone.[19]

In fact, AT&T's practices provide a significant degree of protection to Verizon's customers. During June 2001, Verizon – Pennsylvania ported 232 lines from AT&T to Verizon, 32 of them ***after*** the scheduled due date. If AT&T followed Verizon's practices and did not verify with NPAC that the port had not completed, these customers could very well have been without dialtone on the scheduled port date.

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[19] This reciprocal treatment may not seem important to Verizon today because it retains virtually all of the local customers in Virginia, but it will become more valuable to Verizon if Verizon begins to port more customers from AT&T back to Verizon.

Issue V.7.	Should Verizon Commit To Specific Intervals For Local Number Portability Provisioning For Larger Customers?

Q. HAS AT&T PROPOSED SPECIFIC INTERVALS FOR LNP LOCAL SERVICE REQUESTS FOR LARGE QUANTITIES OR NUMBERS?

A. Yes, AT&T has proposed specific service intervals for all types of orders, small and large. For smaller orders, *i.e.*, standalone LNP orders for residential customers, AT&T proposes that porting be completed within three-calendar days. For larger orders, *i.e.*, all business orders, AT&T proposes a maximum porting interval of up to five-calendar days.

Q. WHAT DOES VERIZON PROPOSE?

A. For small orders, Verizon proposes a 3-4 day porting interval. For orders porting between 101 and 200 lines, Verizon proposes a 5 day porting interval. For any order over 200 lines, Verizon is unwilling to propose any interval at all, only that the interval be "negotiated."[20] The problem, of course, is that Verizon has no incentive to "negotiate" any sort of reasonable interval that will port customers away from Verizon. Thus, Verizon's proposal is unreasonable on its face.

These Verizon porting intervals are listed in the Verizon CLEC Handbook, Volume 3, Section 5.[21] These intervals do not include the FOC interval, the 24-hour period within which Verizon needs to send a FOC to the

[20] In Verizon's Product Interval Guide, Verizon explains that the "term 'negotiated' refers to the Internal/VZ negotiating done within various provisioning organizations." See http://www.bell-atl.com/wholesale/html/xls/interval_une1200_r_1.xls. There is no "negotiating" with AT&T. Verizon negotiates internally to determine when it will be able to meet AT&T's order and then informs AT&T of the due date.

[21] http://www.bellatlantic.com/wholesale/html/handbooks/clec/volume_3/c3s5_1.htm

CLEC responding to the CLEC's Local Service Request and confirming the port date.

LNP without unbundled Loops

1-50 lines	3 business days
51-100 lines	4 business days
101-200	5 business days
Over 200 lines	Negotiated interval

Q. WHY DOES AT&T NEED ESTABLISHED INTERVALS FOR PORTING NUMBERS FOR OVER 200 LINES?

A. AT&T needs predictability in the LNP provisioning process in order to effectively market its services. For example, when marketing services to a potential customer, absent known intervals, AT&T cannot provide that customer any indication of when its service will be provisioned. Having to convince the customer to sign up for service, while being unable to tell the customer a predictable timeframe for provisioning of such service, puts AT&T at a distinct competitive disadvantage to Verizon, which can inform the customer of a confirmed due date within seconds of placing the customer's order. During the sales process, AT&T needs to be able to give the customer information regarding the length of time it will take to provision service and expectation of when the task will be completed. In other words, AT&T views these intervals as an important "rule of thumb" that AT&T can rely upon when marketing service to its customers.

Moreover, when AT&T is porting more than 200 lines for one customer, that customer is virtually always going to be a sophisticated – and demanding -- business customer. AT&T needs to be able to quote and to rely upon defined intervals. "We'll get back to you" is not what the customer wants to hear.

Q. WHY ARE THE INTERVALS AT&T HAS PROPOSED REASONABLE?

A. Porting numbers requires minimal physical work. (See discussion above) Nevertheless, Verizon typically asserts "force and load" constraints, complaining that if there are too many large work orders in the same short period of time, Verizon may not have the resources to meet the interval for all of the orders. But given the relatively simple process of porting numbers, "force and load" complaints are not a material factor in determining the number of lines which require a negotiated interval nor should they be a material factor in determining the amount of time needed to port the 200+ lines. In fact, AT&T's provisioning centers, which work with Verizon's operations groups during LNP cut-overs, are able to process blocks of numbers as readily as they can process individual number orders.

Q. DOES VERIZON PROCESS SIMILAR WORK FOR ITSELF WITHIN SIMILAR INTERVALS?

A. Yes. When Verizon regrades Plain Old Telephone Service ("POTS"), it typically performs systems and software work that does not require either the dispatch of a technician or the installation or rearrangement of facilities. In that regard, the

work effort involved with regrading POTS is similar to the work effort involved with porting telephone numbers without hot cuts.[22]

According to Verizon's Single Source Interval Document, Verizon regrades POTS service for all orders in excess of 50 lines within the established interval of **BEGIN VZ-VA PROPRIETARY** three days **END VZ-VA PROPRIETARY**.[23] Interestingly, this established interval apparently applies for regrades of more than 50 lines, whether it be 51 lines or 5000 lines. If Verizon can do regrades for more than 50 POTS lines in that established interval, they can certainly perform the systems and software work needed to port over 200 lines, without hot cuts, within an established five day interval.

Q. HOW WOULD AT&T REFLECT THIS REQUIREMENT IN THE INTERCONNECTION AGREEMENT?

A. By adding the following language:

> The carrier from which a telephone number is being ported shall, upon receipt of a valid LSR, be able to meet a three (3) calendar day maximum porting interval for all residential customers and a five (5) calendar day maximum porting interval for all business customers. The ported to carrier may, at its sole discretion, request a due date of greater than the aforementioned time frames for a specific customer.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes, it does.

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22 While porting numbers does involve coordination between the CLEC, the ILEC and Number Portability Administration Center ("NPAC"), the need for coordination does not increase the amount of work effort Verizon must do to port a number. Regardless of the need for coordination, Verizon need only make systems and software changes, without dispatching technicians or installing or rearranging facilities.

23 *See* VZ-VA Single Source Interval Document, attached hereto as Exhibit 2, at 2.