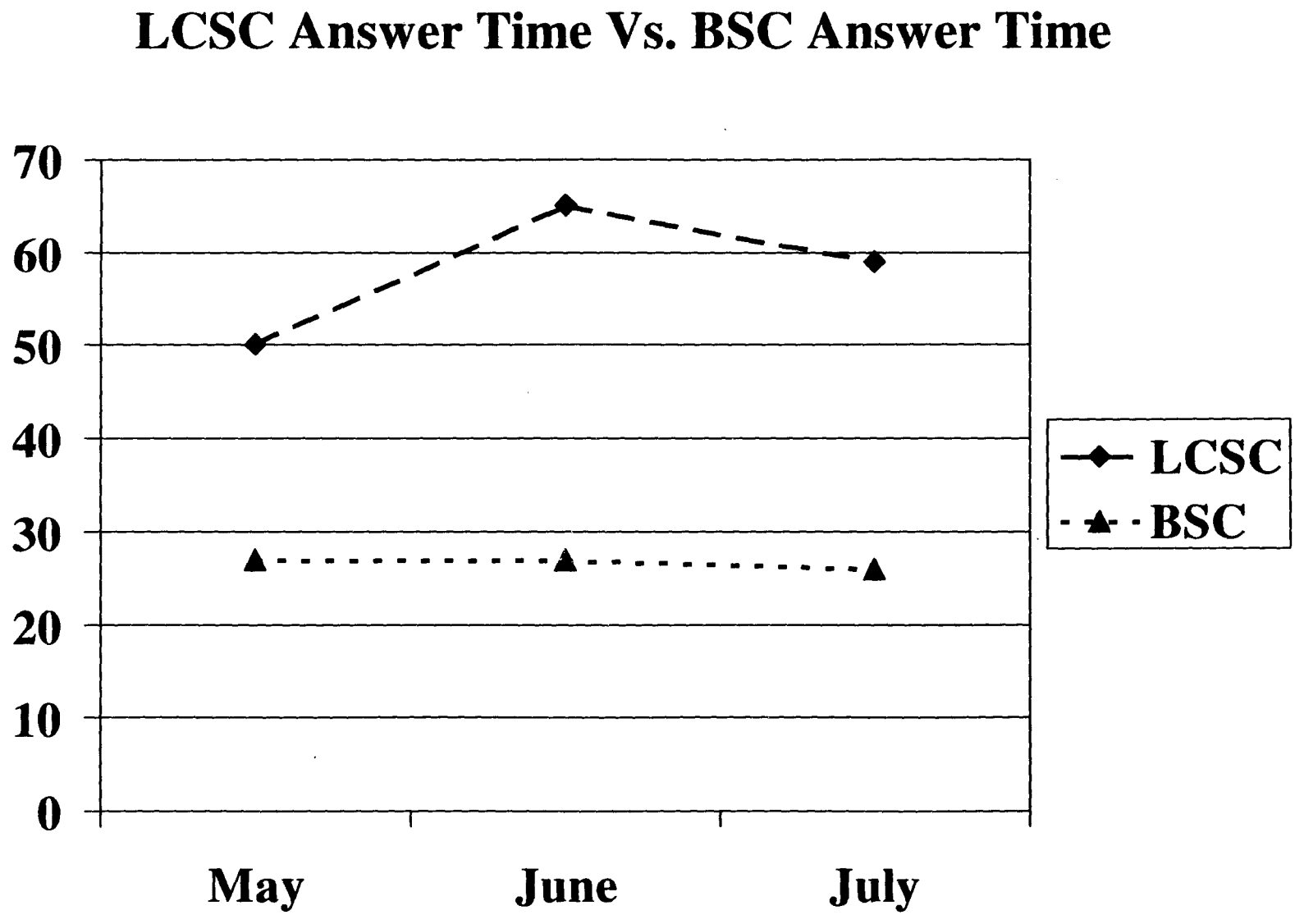
ATTACHMENT 57

DECLARATION OF JAY M. BRADBURY


LCSC Answer Time Vs. BSC Answer Time
70
60
50
40
30
20
10
0
May
June
July
LCSC
BSC

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September 12, 2001

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EXECUTIVE SECRETARY
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BY HAND DELIVERY

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
244 Washington Street
Atlanta, GA 30334

Re: Consideration of BellSouth Telecommunications, Inc.'s Entry into Interlata Services Pursuant to Section 271 of the Telecommunications Act of 1996; Docket No. 6863-U

Re: Investigation into Development of Electronic Interfaces for BellSouth's Operational Support Systems; Docket No. 8354-U

Dear Mr. McAlister:

Enclosed please find an original and fifteen (15) copies of **"AT&T Communications of the Southern States, Inc., Teleport Communications Atlanta, Inc. and AT&T Broadband Phone of Georgia, L.L.C.'s Petition for Investigation Into BellSouth Telecommunications, Inc.'s Conduct in Processing CLEC Orders and Retiring of Key OSS Systems"** in the above-referenced docket.

Because of the urgency of the matter, AT&T specifically requests that this Petition be handled in an expedited manner.

I have also enclosed a diskette containing the document. After filing the originals, please return two additional copies stamped "filed".

Thank you for your assistance in this matter.

Very truly yours,

Suzanne W. Ockleberry

Enclosures
cc: Parties of Record

Recycled Paper

BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

In re: Consideration of BellSouth Telecommunications, Inc.'s Entry into InterLATA Services Pursuant to Section 271 of the Telecommunications Act of 1996	)))))))	Docket No. 6863-U
In Re: Investigation into Development of Electronic Interfaces for BellSouth's Operational Support Systems	)))))	Docket No. 8354-U

AT&T COMMUNICATIONS OF THE SOUTHERN STATES, INC., TELEPORT COMMUNICATIONS ATLANTA, INC. AND AT&T BROADBAND PHONE OF GEORGIA, L.L.C. PETITION FOR INVESTIGATION INTO BELLSOUTH TELECOMMUNICATIONS, INC.,'S CONDUCT IN PROCESSING CERTAIN LSRS AND RETIRING OF KEY OSS SYSTEMS

Comes Now AT&T Communications of the Southern States, Inc., Teleport Communications Atlanta, Inc., and AT&T Broadband Phone of Georgia, L.L.C. (collectively "AT&T") and files this Petition pursuant to Commission Rule 515-1-1-.04 seeking to have this Commission investigate and establish a hearing in an expedited manner on BellSouth's failure to comply with the nondiscrimination requirements of the Telecommunications Act of 1996 ("Act"). Specifically, AT&T requests that the Commission investigate BellSouth's unilateral decision to (1) provide discriminatory preferential treatment at its Local Carrier Service Centers ("LCSCs") to orders or local service requests ("LSRs") from competitive local exchange carriers ("CLECs"), including LSRs placed by KPMG Consulting Inc. ("KPMG") during the third party test

("TPT") of BellSouth's operations support systems ("OSS") in Georgia in an attempt to convince this Commission, other state Commissions, the United States Department of Justice ("DOJ") and the Federal Communications Commission ("FCC") that BellSouth's performance regarding handling of these LSRs was better than it would have been but for this discriminatory preferential treatment and (2) replace key OSS without providing CLECs with appropriate and necessary notice.

Through discovery efforts in Section 271 proceeding currently underway in North and South Carolina, AT&T only recently discovered that Bellsouth has provided discriminatory preferential treatment for processing of certain LSRs and has plans to replace many key OSS over the next eighteen months with new systems without first advising the CLEC community of these critical changes or implementing such changes pursuant to BellSouth's change control process. As more fully set forth below, BellSouth's actions cast significant doubt regarding whether BellSouth is meeting its obligations to provide CLECs with non-discriminatory access to its OSS and thus merit a prompt and thorough investigation by this Commission.

A. BELLSOUTH IMPROPERLY PROVIDED PREFERENTIAL TREATMENT TO CERTAIN LSRS IN CONTRAVENTION OF ITS NONDISCRIMINATORY REQUIREMENTS UNDER THE ACT.

BellSouth has an obligation pursuant to Section 251(c)(3) of the Act to provide CLECs with nondiscriminatory access to network elements. This includes non-discriminatory access to BellSouth's OSS. The evidence obtained by AT&T in the North and South Carolina Section 271 proceedings demonstrates that BellSouth's LCSCs had an established practice of providing discriminatory preferential treatment to CLEC

LSRs based on the location and identity of the CLEC. Accordingly, BellSouth has violated its statutory obligation to provide CLECs nondiscriminatory access to its OSS.

Specifically, documents obtained by AT&T from BellSouth in North Carolina, and then subsequently discussed with BellSouth during cross examination in South Carolina, paint a disturbing picture of BellSouth's improper practice at its LSCSs of providing discriminatory preferential treatment to LSRs for Georgia. (*See Testimony of Ron Pate, South Carolina Public Service Commission, Docket No. 2001-209-C (August 23, 2001) relevant portions of which are attached hereto as "Exhibit A", at 2380-2381, 2387, 2424, 2663-2665).* Most importantly, this discriminatory preferential treatment has tainted several significant indicators of whether BellSouth is providing nondiscriminatory access to its OSS. These include: (1) reporting of results for performance measures established by this Commission for BellSouth in Docket No. 7892-U, (2) the performance measures adopted by the Commission for use in the third party test in Docket 8354-U and (3) KPMG's OSS testing in the Georgia TPT.

On these three significant indicators alone, this Commission should question the validity and integrity of BellSouth's data and thus reevaluate the significance of BellSouth's performance measures results for Georgia as well as reevaluate KPMG's "Master Test Plan Final Report," "Flow-Though Evaluation Final Report" and "Supplemental Test Plan Final Report." By providing preferential treatment to certain LSRs over others, it is unlikely that BellSouth can establish that it has met its obligations under Section 251 of the Act to provide CLECs with non-discriminatory OSS.

As to performance measures, this Commission can have no confidence that the results and data reported to date by BellSouth accurately reflect BellSouth's ability to

properly handle CLECs LSRs on a non-discriminatory basis. Accordingly, results and data already reported should be reviewed to determine what impact the specific preferential treatment would have had on various individual measures. This review should take place immediately given BellSouth's testimony in various state 271 proceedings that actual commercial data (and thus its attendant performance measures results and data) (*See Direct Testimony of Al Varner on behalf of BellSouth Telecommunications, Inc., filed with the South Carolina Public Service Commission in Docket 2001-209C on May 16, 2001, of which relevant portions are attached hereto as Exhibit "B", p. 23-24*) are the most probative evidence of BellSouth's compliance with its non-discriminatory obligations of Section 251 of the Act. Without a prompt and thorough review of this data, this Commission is not in a position to recommend to the DOJ and the FCC that BellSouth has met its Section 251 obligations based on existing commercial data. This new revelation regarding BellSouth's nondiscriminatory preferential treatment of LSRs is in addition to other significant concerns raised by AT&T regarding the integrity of BellSouth's performance measures data.[1] This review also is important in light of the fact that the Commission is in the process of considering changes to BellSouth's performance plan in Georgia.

Regarding the Georgia TPT, although this Commission held a hearing on May 8, 2001 regarding KPMG's "Master Test Plan Final Report," BellSouth did not at any time during discovery or depositions provide CLECs with any information regarding its discriminatory preferential practices at its LCSC during the TPT, or alert this

[1] See, Affidavits of Sharon Norris on behalf of AT&T Communications of the Southern States, Inc., Teleport Communications Atlanta, Inc., and AT&T Broadband Phone of Georgia, L.L.C. filed in Docket No. 6863-U on May 31, 2001 and July 16, 2001. Since Ms. Norris' affidavit on "data integrity," was filed in July, AT&T has further evidence that since July, concerns still exist regarding the accuracy and completeness of BellSouth's reported results when compared to actual CLEC experiences.

Commission of such practice at the hearing or in post-hearing comments. For its part, AT&T did not learn of the discriminatory preferential treatment at BellSouth's LCSCs during the TPT until AT&T obtained BellSouth documents created by Pricewaterhouse Coopers ("PWC") in North Carolina on August 8, 2001 in response to AT&T's discovery requests regarding the regionality of BellSouth's OSS. Those documents, which were PWC's records of interviews with BellSouth's employees regarding processes followed at BellSouth LCSCs for handling CLEC LSRs, established that both centers engaged in the discriminatory practice of giving LSRs from Georgia priority over LSRs from certain other BellSouth states throughout 2000, and at least one LCSC maintained this practice for several months in 2001 until April of this year. (*See Testimony of Ronald M. Pate, South Carolina Public Service Commission, Docket No. 2001-209-C, (August 23, 2001, Exhibit 38, hereto attached as Exhibit "C"*).

This Commission need not look any further than BellSouth's own words for the impact that this discriminatory preferential treatment had on LSRs being processed by BellSouth for Georgia. Specifically, in responding to cross examination questions in South Carolina, BellSouth acknowledged that a TPT should be and must be blind in order to emulate real world conditions and accurately measure how CLEC orders are processed as compared to how BellSouth processes its own orders. (*Exhibit A, Tr. 2372-2373.*) Yet, contrary to that requirement, testing which KPMG performed on certain LSRs was not blind. Although BellSouth has inferred that its discriminatory preferential treatment was limited to only manual or partially mechanized LSRs not tested in Georgia, the fact of the matter is that all LSRs processed by BellSouth's LCSC were affected by this practice and that KPMG tests in the TPT included such LSRs, e.g. electronic orders that fell out and

required manual processing because of BellSouth system design or system errors and manual DSL orders. Indeed, approximately 30 percent of all electronic UNE LSRs currently fall out and require manual processing. However, what is not in question is the fact that BellSouth's discriminatory preferential treatment affected not only test LSRs issued by KPMG, but also to LSRs issued by CLECs in Georgia.

After first acknowledging that a TPT should and must be blind, thereafter, when confronted with the PWC documents in South Carolina, BellSouth clearly admitted that Georgia orders were given discriminatory preferential treatment (*See Exhibit A, Tr. 2383, L. 24-25 – 2384 L. 1*). Thus, unlike real world conditions, Georgia LSRs were given a higher priority over certain other states in the BellSouth region. (*See Exhibit A, Tr. 2380-81, 2383*). Because this evidence was not known at the time of this Commission's May 8, 2001 hearing on the TPT, the Commission should immediately investigate this matter further to determine the impact this discriminatory practice has had on KPMG's Final Report of the TPT and other evidence upon which BellSouth is relying to demonstrate compliance with its obligation to provide CLECs with non-discriminatory access to OSS. Such an investigation is necessary because a review of the entire transcript of the South Carolina proceeding establishes a pattern by BellSouth to equivocate, confuse, and answer incompletely and in contradictory fashion exactly how and when the discriminatory preferential treatment was occurring. In fact, at one point in the South Carolina proceeding, BellSouth responded to cross examination by indicating that this discriminatory preferential treatment was being specifically provided so that BellSouth could meet performance measures established by the Georgia Commission. (*Exhibit A, Tr. 2380-2381, 2384-2386.*) This admission itself establishes the fundamental and

improper impact which BellSouth's actions have had on BellSouth's ability to "game the system" regarding reporting of performance measures as they relate to confirming BellSouth's ability to handle real-world commercial volumes from CLECs.

Thus this Commission can take no comfort from reading the South Carolina transcript as to the magnitude and impact which BellSouth's discriminatory preferential treatment of LSRs had on the TPT in Georgia. Moreover, BellSouth's conduct not only cast significant doubt over the TPT and KPMG's Final Report, but perhaps more fundamentally over much of the actual commercial performance data provided by BellSouth to this Commission to evaluate BellSouth's OSS. Plain and simple, BellSouth manipulated their performance data and test results and failed to disclose this to the Commission or CLECs attempting to compete in the marketplace. Accordingly, at this point, the TPT and KPMG's Final Report provide this Commission with little assurance that CLEC orders will be processed in a non-discriminatory manner. Additionally, to the extent BellSouth or this Commission rely solely or in significant part on BellSouth's actual commercial performance (rather than the Georgia TPT) to establish compliance with BellSouth's Section 251 obligations, once again an investigation of BellSouth's preferential treatment is even more paramount given that such preferential treatment also would improperly impact BellSouth's data regarding its commercial performance in Georgia.

Furthermore, this Commission should seriously question the accuracy of KPMG's Final Report if BellSouth had to provide discriminatory preferential treatment for Georgia LSRs in order to obtain "satisfied" scores from KPMG on various parts of the TPT. Clearly, an investigation into the manner in which BellSouth handled KPMG LSRs

during the TPT, as well as certain CLEC LSRs, is warranted before making a final determination in this docket.

B. BELLSOUTH HAS PLANS TO REPLACE KEY OSS TESTED DURING THE THIRD PARTY TEST

Through yet even more discovery in North Carolina, AT&T also has learned that BellSouth plans to replace many of its key OSS with new systems over the next eighteen months. (*Exhibit A, Tr. 2341-2343.*) BellSouth considers its replacement plan to be proprietary and subject to non-disclosure provisions of a North Carolina protective agreement. As a result, AT&T can discuss the plan generally, but cannot disclose the specifics of the plan. In general, several of the systems tested during the TPT are scheduled to be phased out by the end of 2001 and many others are scheduled to be replace by the end of 2002. Yet, BellSouth testified in South Carolina that it has no intention of alerting CLECs to this OSS transition plan through the change control process or otherwise. (*Exhibit A, Tr. 2367.*)

As has been well acknowledged by the Commission, it is essential for CLECs to have timely notification of any changes to BellSouth's OSS in order to modify their systems. Otherwise, CLECs face the risk of having even more of their LSRs fallout for manually processing which inevitably results in delays for service to new customers. This Commission should immediately commence an investigation into BellSouth's OSS replacement plan and the impact of that plan upon CLEC's. There should be no reason why CLEC's are not informed about changes to systems which BellSouth uses to process CLEC LSR's.

Because portions of the TPT are no longer being worked, KPMG will not evaluate whether the new OSS are comparable to BellSouth's previous OSS which were tested in the TPT. Although BellSouth alleged during cross examination in South Carolina that its plans to replace many of its key OSS would have not impact on CLECs and thus CLECs had to reason to know of changes, the transcript in South Carolina does not adequately reflect why and how BellSouth comes to this conclusion. There could be major changes which impact whether BellSouth provides CLECs with nondiscriminatory access to its OSS. Because BellSouth refuses to make the information public, this Commission should investigate what effect BellSouth's OSS replacement plan has on CLECs as well as KPMG's Final Report.

C. BELLSOUTH SHOULD NOT BE GRANTED SECTION 271 RELIEF UNTIL THE METRICS PORTION OF THE THIRD PARTY TEST IS COMPLETE.

Because of the problems associated with BellSouth's discriminatory preferential treatment of LSRs and its significant impact upon both performance measures data and the Georgia TPT, as well as BellSouth's planned obsolescence of some of the systems tested, this Commission should review the results of BellSouth's metrics prior to making any decision on Section 271 relief. Only upon completion of the metrics evaluation and a hearing on the Supplemental Report will there be sufficient evidence to demonstrate whether the data BellSouth reports on its own performance is accurate.

All of the evidence which AT&T recently has uncovered indicates that BellSouth's results for its actual commercial performance as well as results from KPMG's TPT in Georgia are skewed and cannot be relied upon for assessment of current and future performance. The not yet completed portion of the TPT is crucial to determine

the integrity of BellSouth's self-reported data in light of BellSouth's discriminatory preferential treatment of Georgia LSRs and OSS plans. Once the report is complete, a hearing would allow the parties to cross-examine KPMG witnesses and present this Commission with additional evidence in order to carefully examine the Supplemental Report. BellSouth should not be allowed to withhold pertinent facts from this Commission and CLECs which clearly impact any Section 271 decision.

CONCLUSION

This Commission has strived to ensure that BellSouth provides CLECs with non-discriminatory access to its OSS, through an ongoing review of actual performance data and the Georgia TPT. However, BellSouth has engaged in conduct which raises questions about the validity and integrity of its performance data, KPMG's Final Report and BellSouth's obligations pursuant to Section 251 of the Act to provide CLECs with non-discriminatory access to OSS. Only after a full investigation into BellSouth's actions, a hearing on the matter and the Supplemental Report should this Commission make any determination regarding BellSouth's compliance with Section 271.

This 11th day of September, 2001.

SUZANNE W. OCKLEBERRY
AT&T COMMUNICATIONS OF THE
SOUTHERN STATES, INC.
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1 BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION
DOCKET NO. 2001-209-C
2
3 BELLSOUTH TELECOMMUNICATIONS, INC.,
4 Applicant,
and
5
VOLUME VI
6
AT&T OF THE SOUTHERN STATES, INC.,
7 UNITED TELEPHONE COMPANY OF THE CAROLINAS
and SPRINT COMMUNICATIONS COMPANY,
8 SOUTH CAROLINA CABLE TELEVISION ASSOCIATION,
NEWSOUTH COMMUNICATIONS CORP., US LEC OF SOUTH
9 CAROLINA, INC., RESORT HOSPITALITY SERVICES, INC.,
MCI WORLDCOM COMMUNICATIONS, INC., MCI WORLDCOM
10 NETWORK SERVICES, INC., and MCImetro ACCESS
TRANSMISSION SERVICES, LLC (collectively "WorldCom"),
11 ACCESS INTEGRATED NETWORKS, INC., SOUTHEASTERN
COMPETITIVE CARRIERS ASSOCIATION, NUVOX
12 COMMUNICATIONS, INC., ITC^DELTACOM COMMUNICATIONS,
INC., KMC TELECOM III, and CONSUMER ADVOCATE OF THE
13 STATE OF SOUTH CAROLINA,
14 INTERVENORS,
15 Hearing held before the South Carolina Public
16 Service Commission, Thursday, August 23, 2001,
17 commencing at 9:30 AM in Columbia, South Carolina.
18 Reported by Jane G. LaPorte, Notary Public in
19 and for the State of South Carolina, holding
20 Professional and Merit Certifications recognized by
21 the National Court Reporters Association.
22
23 JANE G. LaPORTE
24 85 Miles Road, Columbia, SC 29223-3207
25 (803)788-9290 jglaporte@aol.com

1 APPEARANCES:

2 FOR THE APPLICANT:

3 BELLSOUTH TELECOMMUNICATIONS, INC.:

4 Caroline N. Watson

5 William F. Austin

6 Fred McCallum

7 Lisa Foshee

8 Kip Edenfield

9 Phil Carver

10 AT&T of the SOUTHERN STATES, INC.:

11 L. Hunter Limbaugh

12 Traci M. Vanek

13 Suzanne W. Ockleberry

14 Thomas A. Lemmer

15 Timothy G. Barber

16 Tami Lyn Azorsky

17 Michael A. Hopkins

18 William T. Prescott

19 UNITED TELEPHONE COMPANY OF THE CAROLINAS and

20 SPRINT COMMUNICATIONS COMPANY, L.P.

21 (Collectively "Sprint"):

22 Scott Elliott

23 Jack H. Derrick

24 Stephen H. Kukta

25

1 (Appearances continued:)
2 SOUTH CAROLINA CABLE TELEVISION ASSOCIATION:
3 Frank R. Ellerbe, III
4 Bonnie D. Shealy
5 NEWSOUTH COMMUNICATIONS CORP.:
6 Frank R. Ellerbe, III
7 Bonnie D. Shealy
8 Lori Reese
9 US LEC OF SOUTH CAROLINA, INC.:
10 Faye Flowers
11 John A. Doyle, Jr.
12 RESORT HOSPITALITY SERVICES, INC.:
13 John F. Beach
14 John J. Pringle, Jr.
15 MCI WORLDCOM COMMUNICATIONS, INC.,
16 MCI WORLDCOM NETWORK SERVICE, INC.,
17 and MCIMETRO ACCESS TRANSMISSION
18 SERVICES, LLC (collectively "WORLDCOM"):
19 Darra W. Cothran
20 Janet Butcher
21 Kennard B. Woods
22 Susan Berlin
23 Marc Goldman
24 De O'Roark
25

1 (Appearances Continued:)
2 ACCESS INTEGRATED NETWORKS, INC.:
3 John F. Beach
4 John J. Pringle, Jr.
5 SOUTHEASTERN COMPETITIVE CARRIERS ASSOCIATION:
6 Frank R. Ellerbe, III
7 Bonnie D. Shealy
8 NUVOX COMMUNICATIONS, INC.:
9 John F. Beach
10 John J. Pringle, Jr.
11 ITC^DELTACOM COMMUNICATIONS, INC.:
12 Nanette Edwards
13 KMC TELECOM III:
14 Frank R. Ellerbe III
15 Bonnie D. Shealy
16 Andrew Cline
17 CONSUMER ADVOCATE FOR THE STATE
18 OF SOUTH CAROLINA:
19 Elliott F. Elam, Jr.
20 COMMISSION STAFF ATTORNEYS:
21 Florence P. Belser
22 Jocelyn G. Boyd
23
24
25 (Please consult the back of transcript for index.)

1 you.

2 MS. COTHRAN: I'm sorry. I'm Darra

3 Cothran on behalf of MCI WorldCom. Now, you can hear

4 me. I thought my voice was loud enough.

5 With me today is Mr. De O'Roark from

6 Atlanta. Mr. O'Roark is a member of the Georgia

7 bar. He has appeared before this Commission before.

8 We would ask that he be allowed to

9 participate pro hoc vice during these proceedings.

10 COMMISSIONER SAUNDERS: That will be

11 fine.

12 Proceed, sir.

13 EXAMINATION

14 BY MR. McCALLUM:

15 Q. Would you state your name and your

16 business address for the record, please, sir.

17 A. My name is Ronald M. Pate. My business

18 address is 675 West Peachtree, Atlanta, Georgia.

19 Q. And, Mr. Pate, by whom are you employed?

20 And in what capacity?

21 A. I'm employed by BellSouth

22 Telecommunications as a director in its network

23 interconnection services.

24 Q. Mr. Pate, did you cause to be filed in

25 this proceeding, direct testimony consisting of 196

1 that we make a distinction between adopting factual
2 testimony and expert testimony.
3 COMMISSIONER SAUNDERS: We will hold it
4 in abeyance.
5 MR. HOPKINS: Thank you. So I'm going to
6 pass out two documents right now.
7 (OFF THE RECORD.)
8 MR. HOPKINS: Mr. Chairman, I would like
9 to mark these two exhibits -- mark them as
10 proprietary exhibits. Is there a particular number?
11 COMMISSIONER SAUNDERS: It's 38.
12 MR. HOPKINS: The next document is
13 actually an exhibit to Mr. Bradbury's testimony --
14 that will be Exhibit 7 to his testimony. That will
15 be moved into the record when Mr. Bradbury gets on to
16 the stand. So I'll just refer to this as Bradbury
17 Exhibit 7.
18 COMMISSIONER SAUNDERS: Okay. The first
19 is Hearing Exhibit No. 37 and entered into evidence
20 at this time.
21 (HEARING EXH. NO. 37,
22 Proprietary Document, was marked for
23 identification.)
24 MR. HOPKINS: Thank you.
25 Q. Mr. Pate, are you familiar with this

1 Hearing Exhibit No. 37, the propriety document?
2 A. It was given to me prior to coming into
3 here, knowing you were going to question me on it,
4 yes.
5 Q. That's fair enough. And you have
6 reviewed it?
7 A. Yes.
8 Q. And would you agree with me that the
9 document basically consists of two parts; the first
10 part, Pages 1 and 2, describe BellSouth's
11 leveragability ratings?
12 And the remaining pages are matrix that
13 identify the BellSouth OSS that will be retired or
14 discontinued? The system that will replace them, and
15 then the year in which those that transition will
16 take place?
17 A. Yes, that's an accurate summation.
18 Q. And the first part of the document, Page
19 1, up in the right-hand corner, that is a version
20 1.1, dated 06/05/01?
21 A. Yes.
22 Q. So, it is a current document? Relatively
23 current document?
24 A. Yes.
25 Q. BellSouth uses its leveragability ratings

1 to describe how well a particular system fits into
2 BellSouth's business model and technology directing;
3 is that correct?
4 A. Yes, that's correct. I mean, its meant
5 to be a planning tool. So they can take a look at
6 the systems that are currently existing and use them
7 in this model, address that system where it would
8 fall within that matrix.
9 Q. And the worst rating that a system could
10 get or the lowest leveragability rating is called
11 Sunset, and that's described at the bottom of the
12 Page 1?
13 A. Yes. You mean from the standpoint your
14 terminology is worst being BellSouth is saying, from
15 the long term view, fitting into their overall IT
16 structure?
17 Q. Well, maybe worst is not good, maybe
18 lowest leveragability rating?
19 A. I'll accept that as fine for the sake of
20 the conversation.
21 Q. And the Sunset rating means that the
22 system will be discontinued as scheduled in a
23 transition plan. And according to this document that
24 will be no later than at the end of 2004; is that
25 correct?

1 A. Yes. Identified with potential
2 retirement. Once again, this is a plan. It's not,
3 shall I say something this is concrete. You will do
4 it. This is a planning document that they are
5 working on from that point.
6 Q. This is the current -- BellSouth's
7 current plan. And they intent to implement this
8 plan?
9 A. To my knowledge, this is a current plan.
10 Q. And they intent to implement the plan?
11 A. I really don't know what they intend to
12 implement. When I say they, I'm talking about our IT
13 organization. I don't attend meetings or attend
14 discussions. I'm relying upon just some
15 conversations that this is the current plan they are
16 working from.
17 Q. Okay. And the second part of the
18 document, the matrix --
19 A. Yes.
20 Q. -- this is the current transition plan;
21 is that correct?
22 A. Current plan they are working from today,
23 yes.
24 Q. And the first column on the left, that
25 identifies the BellSouth OSS that will be Sunset, or

1 discontinued, or removed from operations; is that
2 correct?
3 A. I'm trying to read the header.
4 Q. The way I see it is it's BellSouth Sunset
5 system name?
6 A. Yes. I think that's correct, yes.
7 Q. And just so we can understand, what
8 Sunset means that's discontinue the use of that
9 interface?
10 A. Well, you go right back to the first
11 part. It clearly defines it there on the very first
12 page of this document. And Sunset is -- the system
13 does not provide enterprise solution and is not
14 anticipated support requirements of future business
15 model, or technical standards not consistent
16 with our strategic direction. Our transition plan
17 documents that the system will be retired at the end
18 of 2004.
19 And then it says: See retirement plan
20 for examples.
21 Q. I guess my question is: When you talk
22 about the system being retired, what is the
23 operational significance of that? Is it taken out of
24 service?
25 A. Yes. It's taken out of service. And, of

1 from your IT organization.
2 We are required, though, to give you the
3 specifications and necessary documentation for any
4 changes that we are going to be making so that you
5 have plenty of advance notice to make those changes.
6 That's what change control process is all about.
7 Q. Well, let me ask you on the change
8 control process:
9 When under the change control process,
10 existing change control process, would you advise
11 CLECs of these transitions that are scheduled?
12 A. We would advise you specific to the
13 interfaces in change control, that is TAG, EDI, those
14 interfaces, TAFI, EECA. That's laid out. I can pull
15 it out. We got it as an exhibit, the change control
16 process. You want me to pull it out and show you
17 exactly where that spells it out?
18 Q. Let me rephrase it. Maybe you
19 misunderstood my question. The interface or the
20 systems that we had talked about today, are there any
21 systems that we talked about today, where BellSouth
22 would provide advanced notice to the CLECs under the
23 change control process that a transition is going to
24 take place?
25 A. The systems on here? No.

1 are under which KPMG conducted that test?
2 A. I really don't know the answer to that.
3 I don't know whether it is considered proprietary or
4 not. I just don't know the answer to that.
5 MR. HOPKINS: I would request that the
6 Commission require BellSouth to file the KPMG
7 contract as a late-filed exhibit so that we can see
8 what the obligations were of this KPMG who conducted
9 this test.
10 COMMISSIONER SAUNDERS: BellSouth?
11 MR. McCALLUM: Mr. Chairman, if you don't
12 mind, if I could just have maybe the next break or so
13 to discuss the contract to find out what's in it.
14 Find some knowledge about it. And we can respond at
15 that time and work through this.
16 COMMISSIONER SAUNDERS: Is that
17 satisfactory to you?
18 MR. HOPKINS: Yes. We can talk it over
19 then. Now, we will return to that after we talk to
20 Mr. McCallum.
21 Q. On Page 153 of your direct testimony, are
22 you there? Are you with me?
23 A. Yes, I'm there.
24 Q. In here you describe the
25 transaction-based testing.

1 A. Yes.
2 Q. And you state that the goal of
3 transaction-based testing is to live the CLEC
4 experience; is that correct?
5 A. Yes. That's the major goal. I refer to
6 the term as blind, meaning they are actually asking a
7 CLEC who's blind to us when they do a transaction,
8 which is treated like any other transaction.
9 Q. Now, they performed transaction-based
10 testing both in Georgia and Florida, correct?
11 A. Yes.
12 Q. And you said that the reason they do this
13 transaction based is so that the CLEC -- the testing
14 would be blind?
15 A. Yes.
16 Q. Now, the purpose of blind testing is to
17 insure that there is non-preferential treatment given
18 to the tester; is that correct?
19 A. Yes.
20 Q. And why don't you want preferential
21 treatment?
22 A. The whole purpose of the tests is to show
23 performance of the system, itself. If we were having
24 preferential treatment, that's essentially saying the
25 game of the system to skew the results to show

1 something more favorable, what you would like to
2 present for your position.
3 And that's not the intent here. The
4 whole intent of the third-party testing is to show
5 that the systems performed as they are supposed to
6 without anyone taking special efforts to assist.
7 That's what is meant by the blindness.
8 Q. So, to put it in simple terms, to prevent
9 cheating?
10 A. To cheat? To insure that everybody is
11 treated the same. Which end of the spectrum you want
12 to use to describe it?
13 Q. Did BellSouth provide any preferential
14 treatment to orders from Georgia or Florida during
15 the time when these tests were going on?
16 A. No.
17 Q. I want to go through three documents.
18 MR. HOPKINS: Could we go off the record
19 for just a moment.
20 (OFF THE RECORD.)
21 MR. HOPKINS: Can I ask to take a brief
22 break to work out this situation?
23 COMMISSIONER SAUNDERS: Ten-minute break.
24 (OFF THE RECORD.)
25 COMMISSIONER SAUNDERS: Back on. Call

1 the hearing back to order.
2 MR. HOPKINS: Mr. Chairman, there was
3 some issue on whether the documents that I'm about to
4 hand up.
5 COMMISSIONER SAUNDERS: Is that Mic on?
6 MR. HOPKINS: It was. There was some
7 issue on whether the documents that I'm about to hand
8 out are subject to a protective order or protective
9 agreement with PriceWaterhouseCoopers.
10 We received these documents through
11 BellSouth. AT&T is not aware of any protective
12 agreement with PWC on these documents. And so we are
13 going to proceed with utilizing these documents in
14 this hearing.
15 COMMISSIONER SAUNDERS: BellSouth?
16 MR. McCALLUM: Just for the record, Mr.
17 Chairman, I just want to make it clear it was our
18 understanding that these documents were subject to a
19 protective agreement between PriceWaterhouse and
20 AT&T. They are not subject to a protective agreement
21 between BellSouth and AT&T. And I just want to note
22 that for the record. The documents did come from
23 PriceWaterhouse. They are PriceWaterhouse documents.
24 I just want to note that for the record.
25 COMMISSIONER SAUNDERS: All right.

1 Proceed.

2 MR. HOPKINS: There are three documents.

3 Two have three pages, and one, one-page document. We

4 don't have them.

5 COMMISSIONER CARRUTH: Not everybody has

6 all the documents.

7 MR. HOPKINS: I'm going to describe the

8 documents and see if everyone has it. There is one,

9 one-page document that says LCSR Atlanta Birmingham

10 on the first line. The next one is 38.

11 COMMISSIONER SAUNDERS: Hearing Exhibit

12 No. 38 entered into the evidence at this point.

13 MR. HOPKINS: Then another document that

14 says Functionality and Process Capability-LCSC,

15 process description of the office administrator

16 activity. We will mark that as Exhibit 39.

17 COMMISSIONER SAUNDERS: Exhibit 39.

18 MR. HOPKINS: And then the last document

19 says in the second line: Process description of the

20 clerical department. We'll mark that as Exhibit 40.

21 COMMISSIONER SAUNDERS: Hearing Exhibits

22 39 and 40 entered into the record.

23 (HEARING EXH. 38, Order Distribution by

24 OA(Clerical Group), was marked for

25 identification.)

1 (HEARING EXH. 39, Process description of
2 the office administrator activity, was
3 marked for identification.)
4 (HEARING EXH. 40, Process Description of
5 the Clerical Department, was marked for
6 identification.)
7 BY MR. HOPKINS:
8 Q. Mr. Pate, before we had the little brief
9 recess here, I was asking you about the preferential
10 treatment given under third-party tests. And we had
11 talked about whether that would be cheating or that
12 would skew the results; is that correct?
13 A. Yes.
14 Q. And you agreed that that would if you
15 gave preferential treatment? It wouldn't be
16 appropriate to give preferential treatment to some
17 orders than to others in the context of a third-party
18 test?
19 A. I agreed in the context of third-party
20 tests, yes.
21 Q. Now, in this document, Exhibit 38, can
22 you read the paragraph that starts at the bottom
23 with: PWC met with the UNE director. Can you read
24 that for me.
25 A. Yes. I'm reading from the document, and

1 I quote: PWC meet with the UNE director from
2 Birmingham LCSC to clarify the criteria applied by
3 OA(clericals) to store and distribute LSRs. This
4 issue arose when we were informed that LSRs from
5 Georgia and Florida were stored in a separate bucket
6 and received priority higher than LSRs from other
7 states. In Birmingham we had been informed that such
8 rules no longer applied. We also performed a test
9 (see attachment order prioritization.doc) to verify
10 this assertion. In Atlanta, we have been informed
11 this rule is no longer applied as from November 2000.
12 End of quote.
13 Q. Now, this was, as part of the
14 PriceWaterhouse regionality examination they
15 conducted interviews with various people within
16 BellSouth's organization; is that correct?
17 A. Yes.
18 Q. And this document appears to be some
19 description of meetings from BellSouth, I guess,
20 Diane Meyers, the UNE group director from Birmingham
21 and the OA manager from Atlanta named William, and
22 they don't have the last name; is that correct?
23 A. Yes, that's in the document.
24 Q. Do you know Diane Meyers, by any chance?
25 A. Not close, but I know who she is.

1 Q. You know who she is? Okay. And on the
2 next document, Exhibit 39, this is an interview -- it
3 appears to be interview notes or meeting notes from a
4 meeting with PWC and Kenneth Edel, the office
5 administer for complex products; is that correct?
6 A. Yes. That's what the document says.
7 Q. Do you know Mr. Edel?
8 A. No. I do not know him.
9 Q. But as part of this test, BellSouth
10 set -- arranged for meetings with PWC and
11 knowledgeable people in the BellSouth organization;
12 is that correct?
13 A. Yes. We arranged whatever meetings at
14 their request. They decided what they need to know,
15 information that they needed to talk about, and we
16 just facilitated that for them.
17 Q. Now, in the -- going down, there is an
18 entry it says, bullet, and the last bullet that's
19 indented once, says: The OA performed several checks
20 on the LSR?
21 A. Yes.
22 Q. And do you see the second bullet under
23 that, it says: Gives priority to CCs 7826, 9990,
24 9993. And it says in parens: These CCs belong to
25 3PT, third parties?

1 A. Yes.
2 Q. Is 3PT usually used to reference
3 third-party tests?
4 A. Yes.
5 Q. And then it says: It hands them off to
6 work to the load manager?
7 A. Yes.
8 Q. And then in the document -- then in the
9 document marked Exhibit 40, on the first page, at the
10 last bullet, can you read that last bullet.
11 A. Once the validations have been performed?
12 Q. Yes.
13 A. The OA puts the LSRs into one of the
14 trays assigned to each UNE manager (separate trays
15 for Florida and Georgia see discussion below) end
16 quote.
17 Q. And then if you go to the last page, they
18 have a discussion. Could you please read that
19 discussion where it starts: Per discussion.
20 A. Yes. And I quote: Per discussion with
21 Diane Meyers, Shelley Miller and Laura Kelley, the
22 OAs separate the Florida and Georgia LSRs from all
23 remaining LSRs. This is as a result of an FCC
24 mandate to ensure that Florida and Georgia LSRs were
25 processed in a specified interval. OAs enter these

1 LSRs into LON prior to processing the remaining LSRs
2 from other states. Once processed, the OA delivers
3 the LSRs to the assigned manager and puts them in a
4 tray marked for Florida and Georgia (kept separate
5 from all other LSRs); however, managers review an MS
6 Access report that indicates when the LON was
7 received regardless of the state. Per discussion
8 with management, the UNE department will discontinue
9 the practice of separating Florida and Georgia from
10 all remaining LSRs effective Monday, April 23, 2001.
11 End quote.
12 Q. Now, Florida and Georgia are the two
13 states that have third-party tests going on; is that
14 correct?
15 A. Yes, that's correct.
16 Q. Wouldn't you agree that these documents,
17 these interview notes from PWC indicates that
18 BellSouth was giving preferential treatment to orders
19 from Georgia and Florida?
20 A. That's a yes and no answer. I'm going to
21 agree with you in the context to which you asked the
22 previous question. That preferential treatment was
23 not with respect to third-party testing. In the last
24 comment I just read, the driver for that and why that
25 process was in place, was a part of performance

1 measures that existed in that area or getting
2 processing of these requests within certain time
3 parameters. And those performance measures have been
4 put in place by those Commissions where they didn't
5 exist in other states. And that was why this process
6 was being put in place. It had nothing to do with
7 third-party testing.
8 Q. Well, doesn't the second document,
9 Exhibit 39, indicate that they gave priority to
10 company codes belonging to third-party tests?
11 A. What I read does, and let me explain the
12 situation here.
13 Once again, third-party tests is
14 referenced but it wasn't in context of third-party
15 testing itself. It's more in context of business
16 process giving priority, because in this particular
17 situation I'm familiar with, KPMG was faxing some
18 transactions into the local carrier service center,
19 using fax number -- that was fax number of the
20 business rules, so from their perspective, it was the
21 correct fax number. However, business rules are
22 wrong frankly, and it was going to an incorrect place
23 in the local carrier service center.
24 So the process put in place was to give
25 those to the right place for processing them in the

1 local carrier service center. You see, it has some
2 other company codes, is what CC stands for,
3 referenced beyond that, just specific to KPMG. Some
4 others were coming there incorrectly as well.
5 So that's what the issue was here. So
6 it's really not preferential treatment from a
7 third-party testing standpoint. It was business
8 treatment to give to the right place in the process.
9 Q. Do you know if in the normal operations
10 is it BellSouth's practice to reject orders that have
11 been faxed to the wrong fax number?
12 A. I don't know what normal would be in that
13 case. They may have a situation where they would --
14 first off, let me put it this way. I would say:
15 Yes, first probably go back to the CLEC and say:
16 You're supposed to be using this number. If it was
17 brought to our attention, this was taking place in
18 the situation with KPMG, your business rules are
19 wrong. You have given me the wrong number. The
20 burden comes on us to put a work around in place, if
21 you want fax it to the right place.
22 So we would have to make that business
23 decision until we got the correction to the document.
24 That's my understanding of the position that KPMG was
25 taking with us. We were following business rules

1 what we had in the business rules.
2 Q. If the CLEC had followed the business
3 rules, their order would have been rejected?
4 A. Well, what I would suspect would take
5 place, is that first we try to work them and call and
6 say: Hey, and we would acknowledge it's wrong. Here
7 is the correct fax number.
8 A lot of -- look at it this way. Other
9 CLECs were faxing it to the right place, even though
10 the business rules were wrong. Somehow they were
11 using correct numbers, even though our documentation
12 was incorrect. So we worked something out from that
13 standpoint.
14 But somebody flatly refused. The
15 burden is back on us to put a work around, make the
16 business decision to get it to the right place.
17 That's the case here.
18 Q. On these other two documents, the 38 and
19 40, they indicate that preference was given to orders
20 from higher priorities were given to orders from
21 Georgia and Florida, as compared to, let's say, South
22 Carolina?
23 A. Yes.
24 Q. And those orders would include test
25 orders from KPMG; wouldn't that be correct?

1 A. Yes, most definitely. You know, the same
2 time, the criteria KPMG would be using, whatever SQM,
3 service quality measurements, were in place. So
4 coincidently the reason we are doing it, is SQMs
5 compliance back with the meeting, the Commission,
6 orders not being driven by the fact that it was
7 third-party testing.
8 Q. But how does that impact your theory of
9 regionality where, you know, you're giving
10 preferential treatment to states, only to Georgia and
11 Florida, and not to the other seven BellSouth states?
12 A. I don't think it's impactable,
13 regionality is not preferential. You have the
14 processes that are the same. And here the only
15 difference in the process was from the time you get
16 it in order to comply with SQM, then you get it to a
17 spot that had something else.
18 I don't think that says the processes or
19 a regionality standpoint is substantially different.
20 We are comparing the process, based on trying to meet
21 the standard here in SQM. I don't think it flaws the
22 regionality issue.
23 Q. So you don't think it skews the test if
24 you give preferential treatment to those orders from
25 the states where the tests are being conducted?

1 A. Well, once again, I think since the base
2 here was used in service quality measurements, I
3 don't think the intent was to skew any result. It
4 dealt with performance measures by this Commission,
5 and using our resources in order to comply with those
6 performance measures.
7 Other Commissions have various states and
8 degrees of getting their performance measures in
9 place. Throughout this process, we will bring on
10 individuals adding staff because the accelerating
11 nature of reducing time intervals to turn these LSRs
12 around. In fact, Georgia had this in place. So did
13 Florida. That's the impact.
14 Q. Is the lesson learned here that the South
15 Carolina Commission should impose the most stringent
16 performance measures on BellSouth so that their
17 customers and their constituents receive the best
18 treatment that BellSouth offers?
19 A. Well, no, definitely not. Of course --
20 definitely not, but also I need to make clear we can
21 stop the practice in the states. They stopped the
22 practice. It's first-in, first-out practice.
23 I'm just trying to explain why that
24 practice was there. What drove it, and it was not
25 third party related. And please do not make the most

1 stringent SQMs upon us.
2 Q. So if you stopped the practice, then you
3 must have perceived that something was wrong with the
4 practice.
5 A. I wouldn't say something was wrong. It's
6 more of a timing, as well as part of the impact. We
7 have hired a lot of individuals into the
8 organization. And getting wrapped up is the word I
9 would use, so that we cannot only meet the standards
10 out of Georgia and Florida, but also meet that across
11 the region, particularly as these various service
12 quality measures are being heard in documents
13 performance measures, were there.
14 So, a combination of that. It wasn't an
15 issue that something was wrong. It's more the issue
16 of the time being brought out as part of this
17 proceeding. It may have helped some management to
18 accelerate that decision or make that decision that
19 they have now. But it's definitely first-in,
20 first-out.
21 Q. This practice, this wasn't reflected in
22 the PWC report, was it?
23 A. No. I don't recall it being in the
24 report, itself.
25 Q. Do you know why?

1 A. No.
2 Q. If the test results from Georgia or
3 Florida reflected preferential treatment, that
4 wouldn't be indicative of performance at the same
5 time that was occurring for South Carolina consumers
6 or Tennessee consumers based on this?
7 Mr. McCALLUM: I want to object to the
8 form of that question. I didn't understand what the
9 question was.
10 MR. HOPKINS: I'll rephrase.
11 MR. McCALLUM: Please.
12 Q. The test results in the Georgia and
13 Florida testing, they reflected in this practice,
14 this preferential treatment; is that correct?
15 A. The test results were reflected this
16 practice in place, if that's what you mean by
17 preferential treatment.
18 Q. Yes.
19 A. You see described here, take the
20 Georgia -- take the Florida orders that came in, so
21 those were a part of the third-party testing
22 timeframe.
23 Q. So, those tests weren't completely blind.
24 BellSouth had found a way to influence those test
25 results through a process?

1 A. I'm sorry. I didn't mean to interrupt
2 you. I disagree. They were blind. The process here
3 was all Georgia orders, all Florida orders, it
4 wasn't: Hey, let's take all Georgia now, divide it
5 again and find those that are KPMG. That would be
6 skewing. That would destroy the Armis. That's not
7 what took place here.
8 Q. So, even though you claim that your
9 ordering systems are regional in nature, there is the
10 ability to provide preferential treatment on a
11 state-by-state basis?
12 A. Yes. There is the ability. That doesn't
13 mean that's what's done. But the ability resides in
14 that in the manual processing or manual only as we
15 described this situation. This is where there is
16 manual intervention. You could put a management
17 practice in place to do that. But that's not what,
18 you know, BellSouth's intent is to do. That's not
19 the intent of what happened here.
20 Q. I would like to talk about -- switch
21 gears a little bit and talk about volume testing.
22 MR. HOPKINS: Is there a particular time
23 the Commission plans on breaking?
24 COMMISSIONER SAUNDERS: About one
25 o'clock.

1 MR. HOPKINS: One o'clock. Okay.
2 MR. HOPKINS: Per agreement with
3 BellSouth, we were going to move to admit into
4 evidence a transcript from the Georgia third-party
5 hearing, the KPMG hearing. And AT&T will provide
6 that entire transcript. At this point, I just have
7 an excerpt of it regarding the volume testing I would
8 like to hand up. And I'll substitute it with the
9 entire transcript, once we get that copied, if that's
10 okay.
11 COMMISSIONER SAUNDERS: BellSouth, that
12 is satisfactory?
13 MR. McCALLUM: Yes, that's fine.
14 COMMISSIONER SAUNDERS: Hearing Exhibit
15 No. 41. Entered into the evidence in this case.
16 (HEARING EXH. NO. 41, KPMG Hearing, was
17 marked for identification)
18 Q. Mr. Pate, before I get into this volume
19 testing, I do have one last question on Exhibit 40.
20 The section that you read referred to a
21 FCC mandate to insure that Florida and Georgia LSRs
22 were processing a specified interval. Do you know
23 what FCC mandate they are talking about?
24 A. Take me back to what I read, please.
25 Q. Exhibit 40, last page, second sentence of

1 regionality. BellSouth wrote these?
2 A. Yes.
3 Q. So the only thing that PWC actually wrote
4 was this first page?
5 A. And this exhibit, that's correct.
6 Q. And going back to that first page with
7 the PriceWaterhouse signature, there's these two
8 bullets there. Do you see those?
9 A. Yes.
10 Q. And those are the assertions that PWC is
11 attesting to?
12 A. Yes.
13 Q. And it says in these bullets that their
14 attestation is based on the criteria set forth in the
15 letter that Mr. Stacy wrote, the three-page letter or
16 three-page report?
17 A. Yes.
18 Q. And this opinion was dated as of May
19 third, 2001; is that correct?
20 A. That's correct.
21 Q. And so, would you agree with me that PWC
22 couldn't have made that same attestation two weeks
23 earlier because of the preferential treatment given
24 at the LCSC of the Georgia and Florida orders? Would
25 you agree with that?

1 A. You are referring to what we talked about
2 prior to the lunch break.
3 Q. Yes.
4 A. Is that correct?
5 Q. Yes.
6 A. Potentially so. They would have to have
7 that resolved in their mind, in their report. And
8 based on this data was resolved for the report. I
9 guess that potential exists but in this report, it
10 was resolved and satisfied.
11 Q. Right. And is it your understanding that
12 one of the reasons why PWC felt it was resolved was
13 that BellSouth promised to stop that practice as of
14 April 23rd, 2001?
15 A. More than a promise, BellSouth stopped
16 that practice.
17 Q. Well --
18 A. I think that went to the resolution of
19 the issue.
20 Q. Uh-huh. And is it your understanding
21 that if they didn't resolve that issue, they wouldn't
22 have been able to issue this type of report without
23 any qualification?
24 A. I don't know the answer to that. I'm
25 just not a part of that discussion. What I do know

1 is because it was resolved, this was provided -- this
2 letter, the attestations. Whether it would help or
3 not, I don't know. I know it wasn't an issue.
4 Q. Do you know if PriceWaterhouse considered
5 it a high-risk issue?
6 A. Yes. I think they did categorize it as a
7 high-risk issue in the documentation.
8 Q. Now, let's go -- well, let me ask you
9 this:
10 If the opinion -- if PriceWaterhouse
11 knew that you wanted to use this for third-party
12 testing purposes, and they could only make this
13 attestation on May 3rd, going forward, and they
14 couldn't have made it -- well, they may not have been
15 able to make that same attestation two weeks earlier,
16 how does this provide a basis for relying on Georgia
17 and Florida third-party tests?
18 A. Well, it's just saying this date in time,
19 that date, May 3rd, from their attestation,
20 regionality dates of the systems, they are the same.
21 Q. Right. But they couldn't make that
22 attestation for when those tests were ongoing?
23 A. On --
24 Q. When the tests were being performed.
25 A. Well based on the -- being the risk, the

1 high risk, I don't know. They would not, that was
2 discussed at issue. Still, by the time this is
3 resolved, as it is on May 3rd, that's the point in
4 time and that's the position it is -- regionality is
5 there. We are asking to make that attestation, so I
6 don't think it's an issue back in the third-party
7 test. The issue was the process, the regionality of
8 the systems. They are two separate events is what
9 I'm trying to say here.
10 Q. Is it your understanding that the Georgia
11 third-party test was concluded on -- well, for the
12 most part on March 20th of this year?
13 A. That's the file date definitely. That's
14 the date they had -- KPMG had provided Georgia PSC
15 with a letter.
16 Q. I'm going to kind of paraphrase what I
17 thought I heard you say earlier. Correct me if I'm
18 wrong. I thought you said that one of the reasons --
19 or the reason why the LCSC was giving priority
20 treatment, or preferential, or different treatment to
21 the Florida and Georgia orders was to meet some more
22 stringent performance measurement requirement; is
23 that correct?
24 A. It was to meet the performance
25 measurement requirements in place for Florida --

1 ordered by Florida and Georgia.
2 So you used the word more stringent.
3 It's not the issue of stringent. It's an issue of
4 what existed. In the case from the other states,
5 really nothing had been improved by those states. I
6 think I'm correct in this statement. Maybe Mr.
7 Varner is better to ask that.
8 Q. And when you talk about performance
9 requirements in place, are you talking for example,
10 with respect to Georgia, the SQMs, the measurements
11 that were ordered in January of this year?
12 A. That date that is one I'm referring to,
13 yes.
14 Q. And under that order, isn't it true that
15 there was a gradual phase-in or reduction of let's
16 say timeliness, firm order confirmation timeliness
17 for partially mechanized orders?
18 A. I know from those particular measures,
19 yes, there was. There was a phase-in. I don't
20 recall the exact phase-in. I think from where we had
21 to be in six months maybe interim step.
22 Q. And I think it was March 16th of 2001,
23 was the 24 hours, and then June 16th of 2001, it was
24 reduced to 18 hours. And then I think on August 16th
25 it was supposed to be ten hours. Does that sound

1 right?
2 A. I know it's ten hours. That's where my
3 frame of reference has been. In other places this
4 week it has been ten hours. I just don't recall the
5 exact days in for Georgia.
6 Q. Does that sound about right?
7 A. Sounds about right.
8 Q. Now, the treatment of the Florida and
9 Georgia orders, putting them, giving them different
10 treatment, that was occurring well before that
11 Georgia order was in place; isn't that correct?
12 A. Well, it had been an ongoing series of
13 performance measures workshop. The order may not
14 have been in place, but we still had the insight into
15 what the order was going to be based on workshops.
16 So we were already working towards being able to be
17 compliant when the order came.
18 So, even though the order may not have
19 been issued, we were still working towards what we
20 thought the order would be.
21 Q. Let's talk -- go to Mr. Stacy's signed
22 report. In the first bullet on the first page, the
23 attestation relates to the BellSouth's preorder and
24 ordering OSS; is that correct?
25 A. Are you in the letter, the report?

1 CERTIFICATE OF REPORTER

2

3 I, Jane G. La Porte, Certified Reporter and
4 Notary Public for the State of South Carolina at
5 Large, do hereby certify that the foregoing
6 transcript is a true, accurate and complete record.
7 I further certify that I am neither
8 related to nor counsel for any party to the cause
9 pending or interested in the events thereof.
10 Witness my hand, I have hereunto affixed
11 my official seal this 23th day of August, 2001, at
12 Columbia, South Carolina.

13

14

15

16 _____

Jane G. La Porte
17 Professional & Merit Certifications
My Commission expires
18 January 11, 2009

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1 I N D E X

2 Page

3 WITNESS/EXAMINATION

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5 EXAMINATION

6 BY MR. McCALLUM..... 1963

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8 BY MR. HOPKINS..... 2336

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7 *(Late-filed Hearing Exhibit.)
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1 BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION
DOCKET NO. 2001-209-C
2
3 BELLSOUTH TELECOMMUNICATIONS, INC.,
4 Applicant,
and
5
VOLUME VII
6
AT&T OF THE SOUTHERN STATES, INC.,
7 UNITED TELEPHONE COMPANY OF THE CAROLINAS
and SPRINT COMMUNICATIONS COMPANY,
8 SOUTH CAROLINA CABLE TELEVISION ASSOCIATION,
NEWSOUTH COMMUNICATIONS CORP., US LEC OF SOUTH
9 CAROLINA, INC., RESORT HOSPITALITY SERVICES, INC.,
MCI WORLDCOM COMMUNICATIONS, INC., MCI WORLDCOM
10 NETWORK SERVICES, INC., and MCImetro ACCESS
TRANSMISSION SERVICES, LLC (collectively "WorldCom"),
11 ACCESS INTEGRATED NETWORKS, INC., SOUTHEASTERN
COMPETITIVE CARRIERS ASSOCIATION, NUVOX
12 COMMUNICATIONS, INC., ITC^DELTACOM COMMUNICATIONS,
INC., KMC TELECOM III, and CONSUMER ADVOCATE OF THE
13 STATE OF SOUTH CAROLINA,
14 INTERVENORS,
15 Hearing held before the South Carolina Public
16 Service Commission, Friday, August 24, 2001,
17 commencing at 9:30 AM in Columbia, South Carolina.
18 Reported by Jane G. LaPorte, Notary Public in
19 and for the State of South Carolina, holding
20 Professional and Merit Certifications recognized by
21 the National Court Reporters Association.
22
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1 APPEARANCES:

2 FOR THE APPLICANT:

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4 Caroline N. Watson

5 William F. Austin

6 Fred McCallum

7 Lisa Foshee

8 Kip Edenfield

9 Phil Carver

10 AT&T of the SOUTHERN STATES, INC.:

11 L. Hunter Limbaugh

12 Traci M. Vanek

13 Suzanne W. Ockleberry

14 Thomas A. Lemmer

15 Timothy G. Barber

16 Tami Lyn Azorsky

17 Michael A. Hopkins

18 William T. Prescott

19 UNITED TELEPHONE COMPANY OF THE CAROLINAS and

20 SPRINT COMMUNICATIONS COMPANY, L.P.

21 (Collectively "Sprint"):

22 Scott Elliott

23 Jack H. Derrick

24 Stephen H. Kukta

25

1 (Appearances continued:)
2 SOUTH CAROLINA CABLE TELEVISION ASSOCIATION:
3 Frank R. Ellerbe, III
4 Bonnie D. Shealy
5 NEWSOUTH COMMUNICATIONS CORP.:
6 Frank R. Ellerbe, III
7 Bonnie D. Shealy
8 Lori Reese
9 US LEC OF SOUTH CAROLINA, INC.:
10 Faye Flowers
11 John A. Doyle, Jr.
12 RESORT HOSPITALITY SERVICES, INC.:
13 John F. Beach
14 John J. Pringle, Jr.
15 MCI WORLDCOM COMMUNICATIONS, INC.,
16 MCI WORLDCOM NETWORK SERVICE, INC.,
17 and MCIMETRO ACCESS TRANSMISSION
18 SERVICES, LLC (collectively "WORLDCOM"):
19 Darra W. Cothran
20 Janet Butcher
21 Kennard B. Woods
22 Susan Berlin
23 Marc Goldman
24 De O'Roark
25

1 (Appearances Continued:)
2 ACCESS INTEGRATED NETWORKS, INC.:
3 John F. Beach
4 John J. Pringle, Jr.
5 SOUTHEASTERN COMPETITIVE CARRIERS ASSOCIATION:
6 Frank R. Ellerbe, III
7 Bonnie D. Shealy
8 NUVOX COMMUNICATIONS, INC.:
9 John F. Beach
10 John J. Pringle, Jr.
11 ITC^DELTACOM COMMUNICATIONS, INC.:
12 Nanette Edwards
13 KMC TELECOM III:
14 Frank R. Ellerbe III
15 Bonnie D. Shealy
16 Andrew Klein
17 CONSUMER ADVOCATE FOR THE STATE
18 OF SOUTH CAROLINA:
19 Elliott F. Elam, Jr.
20 COMMISSION STAFF ATTORNEYS:
21 Florence P. Belser
22 Jocelyn G. Boyd
23
24
25 (Please consult the back of transcript for index.)

1 PROCEEDINGS
2 COMMISSIONER SAUNDERS: Please be
3 seated. I'm going to call the hearing back to
4 order.
5 Mr. Hopkins?
6 MR. HOPKINS: Thank you, Mr. Chairman.
7 Good morning.
8 As a housekeeping matter, I passed out a
9 replacement for Exhibit 41, which was the Georgia
10 transcript. I had a partial yesterday. I am
11 providing the entire copy.
12 If any of the Commissioners -- we have
13 extra copies back here. I gave them to the court
14 reporter and the other attorneys. But I won't be
15 referring to it myself any more today.
16 COMMISSIONER SAUNDERS: Mr. Pate, you are
17 still under oath.
18 THE WITNESS: Yes.
19 RONALD M. PATE,
20 having been previously sworn, testified as follows:
21 CONTINUED EXAMINATION
22 BY MR. HOPKINS:
23 Q. Mr. Pate, I wanted to move on to change
24 management.
25 Before I do that, I wanted to clarify one

1 standpoint. It's going to be a timing issue that
2 could impact, eating up a lot of our resource time to
3 develop it. It is going to impact things other than
4 those resources could be doing. That's why the
5 prioritization is so important.
6 You could have a high prioritized item
7 that can be very easy to do, and get it in quickly.
8 You could have one CSR parsing. That's not easy to
9 do, going to take a lot of development time that
10 takes those resources away from other things.
11 MR. O'ROARK: Thank you, Mr. Pate. No
12 further questions.
13 COMMISSIONER SAUNDERS: Mr. Pringle?
14 MR. PRINGLE: So brief, Mr. Chairman.
15 CROSS-EXAMINATION
16 BY MR. PRINGLE:
17 Q. Good afternoon, Mr. Pate.
18 A. Good afternoon.
19 Q. As stated on Page 9 of your testimony and
20 elsewhere, I'm just going to quote: BellSouth's OSS
21 are designed to modified measured performance on a
22 region-wide basis to separate an undistinguishable
23 manner whether a CLEC is in South Carolina, Georgia,
24 or any of the other seven states in the BellSouth
25 region.

1 Is that your testimony?
2 A. It sounds good. Please point me
3 exactly -- you said page what? Where are you?
4 Q. At the top. Starting at Line 1.
5 A. Yes. I see that. I agree.
6 Q. And as part of your testimony, you're
7 proposing that this Commission adopt the results of
8 the Georgia third-party test; is that correct?
9 A. We are saying that that is information
10 that they can use. You say adopt. What we are
11 really proposing here is there is the commercial use
12 is sufficient and that you --
13 Q. All right --
14 A. -- use that in addition to that.
15 Q. Understood. Let me modify my question.
16 You're proposing the results of the Georgia
17 third-party test be part of what this Commission
18 considers?
19 A. Yes.
20 Q. Okay. And to that extent, they should be
21 able to rely on it?
22 A. Yes.
23 Q. Trust it?
24 A. Yes.
25 Q. Treat it as validly constructed and

1 properly run, etcetera?
2 A. Yes.
3 Q. Okay. And KPMG was the third-party,
4 correct?
5 A. The third-party conducting the test,
6 right.
7 Q. Yes. It acted, as you say, I think you
8 said, I don't know. Maybe you didn't. As a pseudo
9 CLEC?
10 A. Yes.
11 Q. And live in the CLEC experience?
12 A. That's part of the third-party test. One
13 good point of that refers to the functional testing
14 part.
15 Q. All right, fine. And as you quoted, I
16 think, from the New York Bell Atlantic order in your
17 testimony, that that independent third-party tester
18 should be in the position of an actual market
19 entrant; is that correct? And I believe I can point
20 you to your testimony on Page 13 where you quote
21 that?
22 A. Yes. We are talking about living the
23 experience of the CLEC.
24 Q. Yes.
25 A. Right. I agree with that.

1 Q. Okay. And there was some discussion
2 yesterday that you had with Mr. Hopkins about the
3 PriceWaterhouseCooper report, in which I think is
4 Exhibit -- go to Exhibit 40, among others, that
5 indicated that certain Georgia and Florida ordered
6 LSRs were pulled out and processed first, correct?
7 A. Are you talking about -- not my
8 testimony, the Exhibit he handed out?
9 Q. Yeah. It was Exhibit 40 in this
10 proceeding.
11 A. I recall the discussion, yes.
12 Q. Help me understand. I mean, given that
13 these Florida and Georgia LSRs were operated and
14 processed first, didn't KPMG get to be a CLEC who got
15 to cut to the front of the line as far as process --
16 orders being processed went?
17 A. There a CLEC, because we were working in
18 Georgia.
19 Q. Right.
20 A. In the case of Florida, they were given
21 that treatment, based on the performance standards
22 that were established that were for that test.
23 Q. But they did go to the head of the line,
24 as it were?
25 A. Using the term head of the line, from a

1 processing standpoint, in order to meet the
2 performance standards that was ordered by the
3 Commission, of which the third-party testing were
4 using for evaluation purposes, that's how the
5 business decision was made, not the third-party
6 testing. The business decision was being made
7 because of the performance measures that were being
8 directed by Commissions. If that is what you mean by
9 head of the line, that process was in place.
10 Q. But KPMG, as a pseudo CLEC in Georgia,
11 and Florida was getting to -- was having its orders
12 processed ahead of those from other states?
13 A. From other states, but not in front of
14 other CLECs. Those same orders coming from Georgia
15 and Florida for any other CLEC were being treated the
16 exact same way as KPMG's.
17 Q. But they were leap frogging ahead of
18 South Carolina CLEC LSRs, for instance?
19 A. They were leap frogging. They were going
20 from front from the way the business decision was
21 being made because of performance measures that were
22 being ordered.
23 Q. Well, I mean, given that somewhat
24 preferential treatment, wasn't KPMG living the
25 privileged CLEC experience?

1 A. Those are your words. KPMG was living
2 the experience of every other CLEC in the State of
3 Geórgia as part of that testing.
4 Q. Not ones in the State of South Carolina?
5 A. In that particular situation, South
6 Carolina, as well stated, a business decision was
7 being made at that point in time that the Georgia
8 order was giving some priority treatment over the
9 South Carolina order.
10 That does not mean that you put every
11 South Carolina order at the bottom of the bucket, and
12 after you got through Georgia, you went to South
13 Carolina. That's not what it said.
14 Q. But relative to South Carolina, Georgia
15 and Florida orders were being separated and then
16 processed first.
17 A. I'm not sure exactly how they were doing
18 it. I'm not part of the process. There was some
19 identification, I'll agree with that.
20 Q. Well, in that case, weren't South
21 Carolina orders, in a relative sense, suffering as
22 far as process speed goes?
23 A. I don't think they were suffering. Now,
24 I'll agree with you that the process fee or speed was
25 not the same. But suffering, I'll disagree with you.

1 It gets back to the issue, once again, where they are
2 being packaged? No, they were not. That is just not
3 the case.
4 Q. But I mean it in a relative sense to the
5 Georgia and Florida orders?
6 A. In a relative sense, the Georgia orders,
7 they were under different performance standards, at
8 that point.
9 Q. Assuming BellSouth is going to process
10 orders in certain states, solely on the basis of the
11 regulatory requirements imposed by those particular
12 states, then wouldn't you agree with me that this
13 Commission must adopt equal or more stringent
14 standards so that South Carolina orders are not
15 negatively impacted?
16 A. That's a fair statement. I think that's
17 what we are asking them to do. We are asking them to
18 adopt the Georgia performance standards that are in
19 place.
20 Q. That would apply after you got 271
21 proven?
22 A. No. It's not applied after. We are
23 asking them to adopt them now.
24 Q. Put them in place today?
25 A. Yes.

1 Q. Or at the conclusion?
2 A. Mr. Varner is really one to speak in more
3 detail. That's my understanding of our proposal, but
4 better to ask that directly of him.
5 Q. Okay. We will discuss it with him.
6 MR. PRINGLE: Thanks a lot.
7 COMMISSIONER SAUNDERS: What we are going
8 to do now, Mr. KLEIN? Do you have a lot? Maybe we
9 can just wait for you until Monday. Or do you have a
10 lot that you want to --
11 MR. KLEIN: I do have some questions. It
12 is difficult to anticipate whether the witness would
13 answer yes or no to yes or no questions.
14 COMMISSIONER SAUNDERS: Why don't we make
15 you first on Monday. We are going to recess this
16 hearing until Monday morning at 10 o'clock.
17 (The hearing was adjourned at 1:30 PM.)
18
19
20
21
22
23
24
25

1 CERTIFICATE OF REPORTER

2

3 I, Jane G. La Porte, Certified Reporter and
4 Notary Public for the State of South Carolina at
5 Large, do hereby certify that the foregoing
6 transcript is a true, accurate and complete record.
7 I further certify that I am neither
8 related to nor counsel for any party to the cause
9 pending or interested in the events thereof.
10 Witness my hand, I have hereunto affixed
11 my official seal this 24th day of August, 2001, at
12 Columbia, South Carolina.
13
14
15
16 _____
Jane G. La Porte
17 Professional & Merit Certifications
My Commission expires
18 January 11, 2009
19
20
21
22
23
24
25

1 I N D E X

2 Page

3 WITNESS/EXAMINATION

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5 CROSS EXAMINATION

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18

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BELLSOUTH TELECOMMUNICATIONS, INC.

DIRECT TESTIMONY OF ALPHONSO J. VARNER

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

MAY 16, 2001

DOCKET NO. 2001-209-C

Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS ADDRESS.

A. My name is Alphonso J. Varner. I am employed by BellSouth as a Senior Director in Interconnection Services. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375.

Q. PLEASE PROVIDE A BRIEF DESCRIPTION OF YOUR BACKGROUND AND EXPERIENCE.

A. I graduated from Florida State University in 1972 with a Bachelor of Engineering Science degree in systems design engineering. I immediately joined Southern Bell in the division of revenues organization with the responsibility for preparation of all Florida investment separations studies for division of revenues and for reviewing interstate settlements.

Subsequently, I accepted an assignment in the rates and tariffs organization with responsibilities for administering selected rates and tariffs including preparation

complete" items from the third party test conducted in Georgia by KPMG. Mr. Pate describes how that test was favorable for BellSouth, and responds to the few "not satisfied" items that I do not address.

- Describe BellSouth's proposed SEEM.

I. EXECUTIVE SUMMARY

Q. PLEASE PROVIDE AN EXECUTIVE SUMMARY OF YOUR TESTIMONY.

A. As the Commission knows, BellSouth must demonstrate that it provides nondiscriminatory performance to Competitive Local Exchange Carriers ("CLECs") as a prerequisite to the receipt of permission to compete in the interLATA market. My testimony presents the Interim SQM upon which the Commission can rely in this proceeding. The performance data collected pursuant to that SQM will demonstrate BellSouth's compliance with the competitive checklist. I also explain why it is reasonable to conclude that BellSouth meets its obligations under the Telecommunications Act of 1996 ("the Act"). In addition, I describe BellSouth's proposed SEEM or penalty plan and explain why it is sufficient as an additional mechanism to discourage "backsliding" after interLATA relief is exercised.

Now I would like to elaborate on each part of my testimony. In Part II, I introduce BellSouth's Interim SQM. The Interim SQM is Exhibit AJV-1 and is the same SQM recently adopted by the Georgia Public Service Commission (GPSC). BellSouth proposes that the Commission use the Interim SQM, and data

1 Commission can establish a set of performance measurements designed the
2 way it wants to see the data displayed on a permanent basis. Such an approach
3 clearly serves the public interest.
4
5 Q. WILL THE COMMISSION HAVE ENOUGH DATA TO EVALUATE
6 BELLSOUTH'S PERFORMANCE FOR PURPOSES OF 271?
7
8 A. Without a doubt, the Commission will have more than enough data to determine
9 whether BellSouth is providing CLECs with nondiscriminatory performance. The
10 Commission will have more than enough data in the FCC format. In addition, the
11 data normally accessible in PMAP, will continue to be available throughout this
12 process.
13
14 III. BELLSOUTH RESPONSE TO THIRD PARTY TEST
15
16 Q. BRIEFLY DESCRIBE WHAT IS CONTAINED IN THIS SECTION.
17
18 A. This section refers to the Georgia Third Party Testing results and BellSouth's
19 response to those results. The testing process is described in Mr. Pate's
20 testimony so I won't repeat that description here. In addition, Mr. Pate discusses
21 certain of the results. The results showed that we achieved a 96% success rate.
22 There were, however, some items that were not satisfied or not complete in the
23 test. I explain some of those criteria here.
24
25 Q WHY IS THIRD PARTY TESTING USED AT ALL AS AN EVALUATION TOOL?

Kansas and Oklahoma (hereinafter referred to as "SWBT Order-KS/OK"), the FCC stated, "In prior section 271 orders, we have held that third party tests can provide critical information about the functionality and performance of a BOC's OSS. We have not, however, stated that checklist compliance cannot be proven without a third party test of an applicant's OSS. Indeed, we emphasize that our analysis of an applicant's OSS rests on a wide range of evidence, of which evidence from third party tests is but one part. The need to rely on a third party test is reduced in this instance because SWBT has established the relevance of its Texas OSS. We agree with the Department of Justice that, in this respect, SWBT's is a "sensible and efficient approach that can avoid the delay and expense of redundant testing."

Q. WHICH "NOT SATISFIED" ITEMS FROM THE GEORGIA THIRD PARTY TEST DO YOU ADDRESS?

A. In this section of my testimony, the "not satisfied" items that I address are:

- Timeliness of Functional Acknowledgement – EDI
- Timeliness of Rejects and Clarifications – EDI
- Timeliness of Firm Order Confirmations
- Accuracy and Timeliness of Partially Mechanized Orders, and
- Expected Responses – ADSL – Manual

When I discuss the performance metrics audit, I address the four not satisfied items from that audit. The remaining "not satisfied" items are addressed by Mr.

Functionality and Process Compatibility – LCSS Atlanta Birmingham

Order Distribution by DA (Division Group)

Meetings Attended:
Diane Ames – LSE Backup Director, Birmingham
Gerard Blake – PwC
Maria Puti – PwC

William [illegible] – CA Manager, Atlanta
Joe Armor – PwC
Gerard Blake – PwC
Marvin Stalnaker – PwC

Date of PSCII in Birmingham, 4/23/2001 or Atlanta

PwC met with the LSE Director for Birmingham and LSSC to clarify the criteria applied by DA for determining customer distribution. This issue was raised because we received information that USPS in our Georgia and Florida areas specified a certain distribution and recommendation, higher than USPS in other states.
In Birmingham we were provided information on the criteria applied. We also performed a test process based on Order processing data, to verify consistency.
In Atlanta, we have been informed that the criteria changed since October 2000.

Functional and Process Compatibility – LCSC

Process description of the Office Administrator activity

Meeting Attendees
Walter Stefanchi – PwC
Joe Franchi – PwC
Darrell Scott – Office Administrator for Complex products (BST contractor)
Terry [illegible] – assistant to the manager [illegible]

PwC met with an Office Administrator for [illegible] LCSC and [illegible] to review the process for processing and assigning complex cases. Through review and observation with Darrell Scott (Complex Office Administrator) and Terry [illegible] (Complex Manager's assistant), the following information was collected:

- CLECs send LSR (Local Service Request) for complex product via spreadsheet or number
- Behind the scenes, [illegible] System automatically [illegible] LSR [illegible] number is assigned. [illegible] is then [illegible] for LCSC
- The LSR is printed
- [illegible] the OA opens and reviews the LSR [illegible]
- The OA performs several checks on the LSR:
  - Verifies that the CC (Company Code) is valid for accessing BOCRIS (Customer Record Information System)
  - Checks the product [illegible] (DS3, [illegible]) [illegible] OA [illegible] BST [illegible] and [illegible] load [illegible]
  - OA does not verify the [illegible] codes and [illegible] – these are handled [illegible] for processing [illegible]
  - Complexity is determined on the basis of the circuit type [illegible] ACTIVITY [illegible] – CE – and [illegible] – V – are accessible [illegible] – [illegible]
  - Verifies that [illegible]
  - The connectivity and existence of the ATM [illegible] [illegible]

- [illegible]
- [illegible] has been performed the CM [illegible] the Order Tracking system [illegible] the LSR. The CM [illegible]:
  - The PON
  - [illegible]
  - Image [illegible] from LCSC
  - Group [illegible]
  - Some other [illegible]
- The Order Tracking [illegible] the CM [illegible] the LSR [illegible]
- If the LSR has been previously received and rejected [illegible] the CM [illegible] the [illegible] reflecting the appropriate changes

- If the LSR requires number portability [illegible] the CM [illegible] the Gateway Interface System.
- The CM [illegible] the Gateway using the Telecom [illegible] and [illegible]
- The Gateway [illegible] the [illegible] in [illegible] The CM [illegible]

- PON [illegible] a series of PONs – [illegible] the PON [illegible] the LSR
- If any of the PON [illegible] the PON [illegible] the PON is considered [illegible]
- If any of the PON [illegible] the PON [illegible] the PON [illegible] PON [illegible]

PreOrder process

- PreOrder can be [illegible] media
- [illegible] the PreOrder requires an LCSC [illegible]
- [illegible] PreOrder [illegible] a Web [illegible] FAQ [illegible] CLEC

Rejection process

- The [illegible] LCSC [illegible] the [illegible] the CLEC. The [illegible] the CLEC. The [illegible] be [illegible] the CLEC.
- The CM [illegible] the LSR [illegible]

Vector Interfaces

- [illegible] orders are received via Regional Hub, edit, [illegible] pass also [illegible]
  - [illegible] recipes are processed into Salesforce
  - [illegible] recipes are processed into JDM and placed in a queue
    - [illegible] orders are passed in the flow [illegible] and [illegible] recipes
    - [illegible] ordering orders are passed in [illegible] and [illegible] edit, [illegible] specifications
- Electronic orders are routed to local LSC
- Other LSC groups (e.g. UNE, Resale) [illegible] electronic orders [illegible] in the [illegible] exceptions [illegible] and [illegible] geographic [illegible] group
- Local management [illegible] access all local and electronic orders and [illegible] order groups
- Orders are [illegible] edit, [illegible] and [illegible]

Process Analysis and Process Compliance Mgt – LCSC Investigations

Process Description of the Clerical Department

Location Address:
Ocean Park – PAC
Lauren Kemp – EST Office Administrator for UNE Product

Date: 4/20/2001

PAC receives the blue sheet information from Birmingham LCSC orders and the process flow of orders for existing UNE orders. Through review and conversation with Laura Kelley, PAC created the following order assigning the process:

- CLEC sends LSR (Local Service Request) for UNE product to specific location
- As the LSR is received, LCSC assigns a service order, calculates and stores the image of the LSR. A tracking number is assigned
- The LSR is printed
- Several times throughout the day the Office Administrator collects the LSRs received from the previous operation (8:30 AM and 3:30 PM)
- The OA separates and distributes the LSR
- The OA performs a quick check on the LSR
  - Completeness: does the form contain the basic information required
  - Verifies that the form is legible
  - Verifies that all pages of the form have been received

- If the LSR does not meet one of the criteria, the LSR is rejected (see below rejection process)

- Once the LSR has been performed the OA puts the LSRs in the correct file, assigns a project UNE manager (separate maps for FL and GA – see next section below)

- [illegible] Overview: The LSRs in an order [illegible] are shared [illegible] The [illegible] LSRs are [illegible] by the [illegible] and [illegible] LSRs. The CA [illegible] [illegible] the LSR link [illegible] Trading [illegible] Local Order Number [illegible] including but not limited to:
  - FOH
  - [illegible]
  - Image [illegible] from LCS
  - Group [illegible] UME
  - Flag [illegible]
  - [illegible]
  - [illegible]
- The Order Tracking [illegible] is [illegible] number. The OM [illegible] number [illegible] LSR [illegible]
- If the LSR has been previously received and [illegible] the CA [illegible] new LOH or [illegible] as [illegible] appropriate [illegible]
- If the LSR expires [illegible] the OM [illegible] the Gateway [illegible] LSR information
- Once [illegible] the Gateway [illegible] LSR [illegible] LAUTO [illegible]
- Once [illegible] LOH, [illegible] local [illegible] LSRs [illegible] updated [illegible] by [illegible]
- Rejection process: The rejection of an order is done through LCV [illegible] complete [illegible] The OM [illegible] LOH, [illegible] the rejection, [illegible] the [illegible] of the CLEC. [illegible] information [illegible] the [illegible] of the CLEC.
- The CA rejects the LSR [illegible] UME [illegible]
- Copy [illegible] LSR [illegible] by the LCS [illegible]
- [illegible] LOH and [illegible] Gateway [illegible] access [illegible] the Business Rules

Observations

Pacific Gas and Electric Company's Response to Data Request

[illegible]

CERTIFICATE OF SERVICE

Docket No. 6863-U; Docket No. 8354-U

This is to certify that a copy of **"AT&T Communications of the Southern States, Inc., Teleport Communications Atlanta, Inc. and AT&T Broadband Phone of Georgia, L.L.C.'s Petition for Investigation Into BellSouth Telecommunications, Inc.'s Conduct in Processing CLEC Orders and Retiring of Key OSS Systems"** has been served upon the parties of record by depositing a copy of same in the U. S. Mail, postage prepaid, addressed as follows:

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