1 part of the record in this case. I'm going to -- I note
2 your objection, but I'm going to let the attorney go
3 forward -- Mr. Barber go forward with his question.
4 MR. BARBER: Thank you, sir, and I apologize for
5 that. I will...
6 COMMISSIONER BURGESS: You don't have to read it.
7 You can go ahead. We've got a copy of the report.
8 MR. BARBER: There are two sentences at the bottom
9 that I had not realized had been omitted.
10 BY MR. BARBER:
11 Q All right, I had asked you whether there were test
12 based on the statistical evidence you deemed passed. Is
13 this an example of one of those tests?
14 A (Witness Weeks) Yes, it would be.
15 Q The -- again, the result given is "satisfied."
16 And under Footnote 18, does Footnote 18 explain how you came
17 to rate this test "satisfied"?
18 A (Witness Weeks) It gives some of the information
19 we used to do that with; yes.
20 Q Can you explain the process you went through in
21 determining that this test was satisfied?
22 A (Witness Weeks) In layman's terms, or in
23 statistical terms?
24 Q I would prefer it in layman's terms. If you can't
25 do that, I'll understand that.

1 COMMISSIONER BURGESS: In commissioner terms.
2 A (Witness Weeks) I'm not going to touch that one.
3 I think the general process, to try to characterize it, is
4 that we would take the information, the data that we had
5 obtained during our testing, and we would subject that
6 information to certain statistical testing. Mr. Salzburg
7 can describe that for you in great detail. And we would
8 compute a particular type of statistic---and I may get in
9 trouble here with my statistician, but I'll say it in
10 layman's terms---that allows one to determine whether or not
11 it is probable that the result that we received could have
12 come from a population that would be the same as a
13 population that had an average statistic that was that which
14 was the standard.
15 And if it could have been the case, in other
16 words, if the calculations suggest that that could have been
17 the case, then the difference that we observed could be
18 explained by just normal random error that exists in any
19 process. And so that we said that there -- the evidence --
20 the statistical evidence was not strong enough to suggest
21 that, even though the number we observed is different from
22 the standard, it still could have occurred in the normal
23 course of business, and that the statistical evidence wasn't
24 strong enough to suggest that in fact they had failed the
25 test.

1 Q Would this be another example of KPMG exercising
2 its professional judgment in deeming the test "satisfied"?
3 A (Witness Weeks) I think this would be a case of
4 where we used common statistical techniques to try to
5 determine whether or not the results that we were seeing
6 were -- were in fact a true failure or just random variation
7 in the process. One could argue that we used professional
8 judgment in applying that statistical technique, but once
9 the statistical technique told us that things were -- could
10 be explained by normal random variation, then I don't think
11 it would be fair to characterize our opinion as being based
12 upon professional judgment.
13 COMMISSIONER DURDEN: Let me interrupt for just a
14 moment. I'm intrigued by the concept of professional
15 judgment as it's being used in this case. First of all, do
16 you have any set criteria which you apply consistently in
17 arriving at professional judgment or in applying
18 professional judgment to a question?
19 WITNESS WEEKS: We have, I would call it, perhaps,
20 a decision-making framework that we use that involves
21 looking at the absolute result. For example, the one we
22 were using earlier where the standard was a half a second
23 for retail, and a second was the actual wholesale
24 performance. So we look at the absolute number -- or we
25 look at the relative numbers and we say that's a technical

1 failure. Then we look at the absolute number, which in this
2 case was wholesale performance of one second, and we use the
3 knowledge gained by our subject matter experts through their
4 many, many years of industry experience of having actually
5 operated CLECs and operated in ILECs, and we try to apply
6 that knowledge and that experience and that judgment about
7 is that one second a -- an appropriate number? Can CLECs
8 operate effectively and efficiently? Can there be
9 meaningful competition if the company consistently delivers
10 that level of service to the CLEC community. And if, in the
11 cumulative experience and judgment and wisdom of the people
12 that are making those evaluations, if it's the case that we
13 believe that that can take place, then we use our
14 professional opinion, and we label it as opinion as opposed
15 to fact, and we say in our professional opinion this
16 criteria is satisfied.
17 We also list for other parties the absolute
18 numbers that went into that discussion. So we will list the
19 half a second and we will list the second, so that if other
20 parties choose to apply a different standard, all the
21 information is there with which to do that. And people are
22 free to disagree with us. It's our opinion, and we've
23 labeled it as such.
24 COMMISSIONER DURDEN: When you arrive at
25 professional judgment, then, you take opinions from a number

1 of people that you consider to be knowledgeable in that
2 area?
3 WITNESS WEEKS: That's correct.
4 COMMISSIONER DURDEN: When you decide what the
5 opinion's going to be, I assume you don't take a formal
6 vote. I mean, you don't sit down with a panel of 15
7 knowledgeable people and say, "Okay, do you think it's
8 satisfied, yea or nay"?
9 WITNESS WEEKS: We don't have a ceremony like
10 that; no.
11 COMMISSIONER DURDEN: Well, do you take a vote at
12 all?
13 WITNESS WEEKS: I don't think in a formal sense of
14 a vote. We do, amongst the people that are sitting down,
15 reach consensus. And we'll talk about it if we're not able
16 to reach consensus. But most of the time it's not very
17 gray. This issue of a half a second or one second was
18 arrived at very quickly. It didn't take much discussion at
19 all.
20 COMMISSIONER DURDEN: Is there any general
21 understanding among the folks that participate in this
22 process that if there is -- if you're going to err, you're
23 going to err on the side of the criteria -- criterion---
24 which is singular---being satisfied, or is there a general
25 consensus that you're going to err, if you're going to err,

1 on the side that the -- that the standard was not satisfied?
2 Or does it vary from one person to the other? I mean,
3 obviously this is an opinion. You've acknowledged that.
4 WITNESS WEEKS: Yes.
5 COMMISSIONER DURDEN: So implicit in that is the
6 idea that there could be some error there. And I'm sure
7 your folks realize that.
8 WITNESS WEEKS: Yes.
9 COMMISSIONER DURDEN: Is there any assumption
10 either way, or does it vary from individual to individual,
11 or what?
12 WITNESS WEEKS: I would say it would probably vary
13 from individual to individual in terms of their personal
14 opinion about the answer to the question.
15 COMMISSIONER DURDEN: Okay.
16 WITNESS WEEKS: What we try to do is form a
17 consensus professional opinion that factors in the various
18 experience levels of the individuals involved, and we'll
19 give more weight to people with more knowledge or more
20 experience than to those that have less knowledge or less
21 experience. And at the end of the day it winds up being my
22 decision as the head of the project, what the final answer
23 is.
24 COMMISSIONER DURDEN: Well, you've anticipated one
25 of my other questions, Mr. Weeks. So you make the final

1 decision?

2 WITNESS WEEKS: If it -- if there was -- and I

3 don't recall an instance where there was, but if there were

4 ever a case where we had differing opinions and we were

5 unable to reach a conclusion, I would have broken the tie or

6 helped make the decision. And to answer your other

7 question, I don't think there was any built-in bias one way

8 or another to *a priori* assume that we would pass, or *a*

9 *priori* assume we would fail. We tried to let the case that

10 was in front of us dictate what the correct decision was.

11 COMMISSIONER DURDEN: This process sounds to me

12 like the process that most juries go through.

13 WITNESS WEEKS: I would think that would be fair.

14 COMMISSIONER DURDEN: When they're back in a room

15 and they're all discussing the evidence and they try to

16 arrive at some common -- so basically the opinion -- would

17 it be fair to say that the opinion has to be like a jury's

18 opinion, unanimous? Is that what you mean by arriving at a

19 consensus, that everybody ends up agreeing one way or the

20 other?

21 WITNESS WEEKS: We don't force a consensus. We

22 don't form a -- you know, force everyone to agree. We allow

23 our professionals the right to disagree if they choose to.

24 And if we ever got into a situation where five people

25 couldn't reach unanimity, then the person that was in charge

1 of the project would make the final decision.
2 COMMISSIONER DURDEN: Was there any instance in
3 these cases that are before us today where the verdict was
4 "satisfied," but that -- that verdict or that decision was
5 counter to a significant number, whether it was a majority
6 or not, of those knowledgeable people -- I hesitate to call
7 them experts because they haven't been qualified as experts
8 -- but those people that you relied on for the technical
9 input?
10 WITNESS WEEKS: I don't recall that. David, do
11 you?
12 WITNESS FREY: No, I don't. We would have --
13 WITNESS WEEKS: We would have been involved in
14 each of those discussions, and we don't remember any
15 instance where that was the case.
16 COMMISSIONER DURDEN: Was there any instance where
17 there was at least one dissenter to the decision whether it
18 was satisfied or not satisfied?
19 WITNESS WEEKS: We're not able to remember a case
20 where one of the principal consultants to this who was
21 specifically consulted on this disagreed with anything that
22 we put forth as a conclusion.
23 CHAIRMAN DURDEN: Okay. I have a couple of
24 questions if you'll bear with me --
25 WITNESS WEEKS: Certainly.

1 CHAIRMAN DURDEN: -- on the statistical tests. I
2 assume, based on what I've heard you say, that you applied
3 more or less standard statistical tests of significance to
4 determine whether the difference was significant.
5 WITNESS WEEKS: That's correct.
6 CHAIRMAN DURDEN: What specific test did you
7 apply? Was it just one initially? Here's what I'm getting
8 at -- my understanding -- and I'm saying this so that I can
9 get your response, you make sure I'm understanding this
10 correctly. You applied a test of significance or maybe more
11 than one initially. If that test or tests came back saying
12 that these results were not significant, then you tended to
13 go to say well, it's not significant -- the difference is
14 not significant, so we'll deem this satisfied. It wasn't
15 that simple, but basically that's what you did, right?
16 WITNESS WEEKS: I think that's fair.
17 CHAIRMAN DURDEN: Okay. Then in the case where
18 the test of significance came back saying that the
19 difference was significant -- and by the way, my
20 understanding of tests of significance is basically that it
21 says there's a certain probability that these results could
22 have occurred by chance or randomly versus there is some --
23 it could not have. And it's all a guessing -- not a
24 guessing game, but it's a probability game, right?
25 WITNESS WEEKS: Let me look at my statistician

1 here. Is that close enough for a layman's definition?
2 Okay.
3 CHAIRMAN DURDEN: Okay. In those cases -- let me
4 go back now. In those instances where your initial tests of
5 significance showed that the difference was significant, my
6 understanding is that you then, at least some of the time,
7 in arriving at -- in the exercise of professional judgment,
8 performed other statistical tests. I thought that was what
9 your testimony was just a few minutes ago. I'm not trying
10 to trip you up, I want to make sure --
11 WITNESS WEEKS: I don't believe that's what we
12 said, but -- I think maybe a better characterization --
13 there were two ways in which we used statistics. I think
14 the way you characterized the first is correct, that if we
15 look to see if the results were statistically significant --
16 COMMISSIONER DURDEN: Right.
17 WITNESS WEEKS: -- if the difference was
18 statistically significant, then the next step would not have
19 been another statistical test --
20 COMMISSIONER DURDEN: Right.
21 WITNESS WEEKS: -- it would have been an
22 examination of the absolute performance of the wholesale
23 operation. The example of the difference of retail was a
24 half a second, wholesale was a second. We did the
25 statistical test. The difference was significant

1 statistically.

2 COMMISSIONER DURDEN: Was significant.

3 WITNESS WEEKS: Was significantly different from a
4 statistical standpoint. But then we would look at the
5 absolute wholesale performance which was one second and we
6 would ask the question is one second as a wholesale
7 performance an absolute good or bad thing. And in that case
8 we believed it was a good thing so we gave it a satisfied.
9 So you got a technical not satisfied overridden by a common
10 sense business application of one second is good enough.

11 WITNESS FREY: To add to --

12 COMMISSIONER DURDEN: Go ahead.

13 WITNESS FREY: To add to that, this occurred --
14 the particular example that Mike just walked through
15 occurred only for the case of pre-order in which case when
16 we got to the business judgment decision, we did establish a
17 standard of eight seconds as adequate for the timely
18 delivery of a pre-order response. And this information is
19 presented in the final report where that stage of the
20 decision-making process became relevant, and again occurred
21 for the pre-order transaction tests only.

22 COMMISSIONER DURDEN: Okay, the reason I'm
23 following this is not to belabor the point, but we've got a
24 number of issues here in which applying the initial
25 statistical test indicated that they maybe were not

1 satisfied, if you relied just on those. Then there was the
2 exercise of professional judgment. So I need to know -- I
3 need to be able to determine -- and this is for everybody as
4 we go through this -- what, other than just -- I mean maybe
5 this is all you can say about it other than just the
6 experience of years of working in the industry or whatever.
7 I'm trying to determine what constitutes -- I'm trying to
8 get a handle on what constitutes professional judgment as it
9 is exercised in this particular instance. And I'm trying to
10 get some handle on how -- the role that statistical tests
11 used -- were used in the exercise of that judgment.
12 And for right now, I have only one other question,
13 and that is did you apply in any instance any statistical
14 tests other than tests of significance? And if so, what
15 were they?
16 WITNESS WEEKS: Sorry for the long collaboration,
17 but I think the answer is in every case that we can think of
18 sitting here today, it was a test of significance in one
19 form or another.
20 COMMISSIONER DURDEN: All of them were tests of
21 significance.
22 WITNESS WEEKS: That's correct.
23 COMMISSIONER DURDEN: While you were conferring, I
24 did think of two other questions.
25 (Laughter.)

1 COMMISSIONER DURDEN: What was the level of
2 significance that you applied and was it the same for every
3 test?
4 WITNESS WEEKS: Yes, five percent.
5 COMMISSIONER DURDEN: .05, okay. What specific
6 tests did you use? And that is my last question for right
7 now. If you can't remember, you can just supply it --
8 WITNESS WEEKS: We'll give the ones we can recall.
9 COMMISSIONER DURDEN: Okay.
10 WITNESS WEEKS: The four that we can think of this
11 morning are binomial, T test, permutation and hyper-
12 geometric.
13 COMMISSIONER DURDEN: I'm sorry, give me those
14 again.
15 WITNESS WEEKS: Binomial --
16 COMMISSIONER DURDEN: Right. T-test.
17 WITNESS WEEKS: T-test, permutation and hyper-
18 geometric.
19 COMMISSIONER DURDEN: Okay, that's all I have for
20 right now.
21 MR. BARBER: Thank you, Commissioner.
22 BY MR. BARBER:
23 Q In fact, over those last couple of questions, we
24 saw the process by which you arrive at a professional
25 judgment, correct?

1 A (Witness Weeks) We're missing some of our SMEs
2 for CLECs but other than that --
3 Q In one of your answers, you referred to technical
4 failures.
5 A (Witness Weeks) Yes.
6 Q When BellSouth failed to meet a benchmark, failed
7 to meet a standard, it was statistically significant, but
8 you deemed it satisfied, and I thought in your answer you
9 stated something about you made a professional judgment as
10 to whether or not that would affect a CLEC's ability to
11 compete; is that correct?
12 A (Witness Weeks) Yes, that was what we were doing.
13 Q In the exercise of that judgment, did you consult
14 or confer with any CLECs?
15 A (Witness Weeks) We consulted with our subject
16 matter experts who have many years of experience with CLECs
17 and ILECs in their operations, so indirectly but not
18 directly, if you mean parties in this room.
19 Q All right. And the people you consulted with are
20 employed by KPMG, correct?
21 A (Witness Weeks) They are currently employed by
22 KPMG, formerly employed by CLECs and ILECs.
23 Q And unlike a traditional jury, they are paid by
24 BellSouth, correct?
25 A (Witness Weeks) No, they're paid by KPMG

1 Consulting.

2 Q Who bills time to BellSouth?

3 A (Witness Weeks) But the individuals themselves

4 are not compensated by BellSouth. They're paid by us

5 regardless of whether BellSouth pays their bills or not.

6 MR. BARBER: Thank you.

7 MS. AZORSKY: Good morning, Commissioners.

8 FURTHER CROSS EXAMINATION

9 BY MS. AZORSKY:

10 Q I'm going to get into a little bit of the

11 specifics of the pre-ordering and ordering and provisioning

12 tests and rather than have the whole test report in front of

13 you, Ms. Ockleberry is handing out some excerpts of the

14 report. Those excerpts include the summary of all of the

15 tests in the pre-ordering section. And you can see that,

16 that's Table IV-1.3 and it has a summary of all the tests

17 and with the evaluation criteria, the result and the

18 comments. And then there are a few tables from the pre-

19 ordering section that we will be using, Tables IV-1.4,

20 Tables IV-1.5, Tables IV-1.6.

21 And then after that, there are some sections of

22 the ordering and provisioning section of the report and once

23 again, we gave you the summary of all the tests. It's a lot

24 smaller than the big binder that the whole report comes in.

25 And a number of the tables -- again, Table V-1.5, parts 1,

2 and 3 and Table V-1.6, parts 1, 2 and 3. And we will be referring to those. All of them have page numbers on the bottom as we go through this.

But before we go into that, with apologies to Mr. Salzburg, the statistical analysis -- and to follow up on Commissioner Durden's question -- the statistical analysis that you did that's represented on this page was done in a number of instances when BellSouth didn't hit the benchmark; is that correct?

A (Witness Weeks) I believe that would be a fair characterization.

Q And I believe you described it, Mr. Weeks, as the probability that a negative finding is random, in layman's terms.

A (Witness Weeks) I don't recall exactly what I said. If that's what I said --

Q Okay. Did you ever, in a test where BellSouth just hit the benchmark, apply any kind of statistical test to determine if in hitting the benchmark, if there was a chance that that was random?

A (Witness Weeks) The answer is that that sort of statistical testing when they were at or above the benchmark was not necessary because of the design of our test. We knew, before we even executed the test, because of the significance levels and the way we designed the hypothesis

1 in the .05 that the p-value would in fact be above .05 and
2 therefore, those tests were superfluous.
3 Q Thank you. I'd like to focus on the specific
4 tests that were done here and I would like to begin by
5 focusing on pre-ordering tests. Pre-ordering test 1-3-1
6 through 1-3-9, and those are reflected on the excerpts of
7 the report. Those tests focused on -- or measured the
8 timeliness of pre-order responses, is that correct?
9 A (Witness Weeks) 1-3-1 through what was the other,
10 I'm sorry?
11 Q 1-3-9.
12 A (Witness Weeks) Yes, those all appear to be
13 timeliness.
14 Q Okay, would it be accurate to say that their
15 purpose was to test the speed with which BellSouth responded
16 to pre-order requests?
17 A (Witness Weeks) I believe that's correct. I'm
18 just double-checking here to make sure that's not
19 inaccurate. For the TAG interface, yes.
20 Q Okay, so 1-3-1 through 1-3-9 was the TAG
21 interface.
22 A (Witness Weeks) That's correct.
23 Q And other interfaces were tested in other parts of
24 the report?
25 A (Witness Weeks) That's correct.

1 Q Now the results of those tests are reported in
2 Tables 1.4 through 1.6, is that correct? You can look on
3 page Roman IV-A-22.
4 (The witnesses confer and a short recess was
5 taken.)
6 COMMISSIONER BURGESS: We're back on the record in
7 Docket Number 8354-U. This is third party testing of
8 BellSouth's operational support systems.
9 And while we do have a break, I do want to
10 recognize -- I saw him earlier in the audience our guest
11 from the Department of Justice that is here with us this
12 morning and we thank you for your attendance here this
13 morning.
14 BY MS. AZORSKY:
15 Q Mr. Weeks, we were talking about the pre-ordering
16 timeliness of response tests and the results of those tests
17 are reported in Table IV.4 which shows the summary results
18 for each pre-order category, is that correct?
19 A (Witness Weeks) IV-1.4?
20 Q IV-1.4. Is that correct?
21 A (Witness Weeks) That's correct.
22 Q And then Table IV-1.5 shows the results of each of
23 the -- shows the results of the initial test by query type,
24 is that correct?
25 A (Witness Weeks) That is correct.

1 Q And then Table IV-1.6 shows the results of the
2 retest, is that correct?
3 A (Witness Weeks) That's correct.
4 Q And again, that's by query type, is that correct?
5 A (Witness Weeks) That is by query type, yes.
6 Q Now the reason it's reported by query type is
7 because in order to evaluate the different back end systems
8 that BellSouth had, you sent through the types of queries
9 that those systems handle, is that correct?
10 A (Witness Weeks) It's correct to say that in the
11 design of the test, we sent in different order types. The
12 purpose of these tables in the report is to provide
13 additional information for people using the report.
14 Q But in order to evaluate the back end systems,
15 some of those systems -- if I look at Table IV-1.4 -- handle
16 more than one query type that you tested, is that correct?
17 A (Witness Weeks) That's correct.
18 Q And others handle only one query type, is that
19 correct?
20 A (Witness Weeks) I believe that's correct.
21 Q So let's walk through an example of this. In
22 order to evaluate BellSouth's DSAP system, you sent through
23 appointment availability queries, is that correct?
24 A (Witness Weeks) Yes.
25 Q And those results -- and the standard for that is

1 a standard set by the Commission of parity with retail
2 performance, is that correct?
3 A (Witness Weeks) Yes.
4 Q And BellSouth gets their responses in half a
5 second, correct?
6 A (Witness Weeks) the average for the time period
7 observed was half a second.
8 Q Now if you look at Table IV-1.5, which is on IV-A-
9 23, in that top section, which is reporting the timing for
10 the appointment availability query, I see two lines there.
11 The top line says TAG API responses and it shows numbers
12 going across. Do you see what I'm referring t o?
13 A (Witness Weeks) Yes.
14 Q Can you explain to the Commission what TAG API is?
15 A (Witness Weeks) The ones characterized as TAG API
16 responses would be requests that were processed solely by
17 the TAG front end processing system, never made it to the
18 back. Any response that was generated would have been
19 generated by the front end TAG API itself and returned to
20 us.
21 Q So that top line represents responses that were
22 returned from the CLECs' gateway before they got into
23 BellSouth's back end system?
24 A (Witness Weeks) No, these would have been
25 returned by the ILECs TAG process -- for example, a hard

1 error. If we sent in a request through the TAG API that was
2 malformed, it would have been rejected by BellSouth's TAG
3 API processor, the one that sits on the other side of the
4 wall from us.
5 Q And so those queries did not go into the back end
6 systems for actual processing, is that correct?
7 A (Witness Weeks) That's correct.
8 Q So I misspoke when I said the CLECs' gateway, it
9 was really BellSouth's gateway.
10 A (Witness Weeks) That's correct.
11 Q The first step once it gets to BellSouth.
12 A (Witness Weeks) Yes, the things that's
13 immediately on the other side of the wall from the CLEC.
14 Q Now the second line reports BellSouth's back end
15 system responses. Am I correct in my understanding that
16 these are the queries that actually went into the back end
17 systems, collected information and came back to the CLEC?
18 A (Witness Weeks) I believe that would be correct.
19 Q When KCI calculated the average response time for
20 this query, and those responses that are reflected in Table
21 1.4, did you use only the numbers in the second line that
22 reflected the performance in BellSouth's back end systems or
23 did you also use the numbers for the queries that were
24 rejected at the gateway?
25 A (Witness Weeks) The answer is that the average

1 numbers on Table IV-1.4 would have included both lines.
2 Q So when you reported the averages, you included
3 both the responses that were rejected right at the gateway
4 and those that went all the way into BellSouth systems and
5 back out.
6 A (Witness Weeks) That's correct.
7 Q Now when you look at this table, it appears that
8 the responses that were rejected right at BellSouth's
9 gateway came back more quickly than the responses that went
10 all the way into BellSouth's systems and came back out, is
11 that correct?
12 A (Witness Weeks) I would have to actually do some
13 calculations to agree or disagree with that, but empirically
14 it looks like that's the case, yes.
15 Q Okay, because 27 -- 90 percent of the TAG API
16 responses came back in less than six seconds.
17 A (Witness Weeks) Right.
18 Q But only 18 percent of the back end system
19 responses came back in less than six seconds.
20 A (Witness Weeks) That's correct.
21 Q Now Table 1.6 reflects the results of the retest,
22 is that correct?
23 A (Witness Weeks) Yes.
24 Q And here again, in calculating the responses, the
25 responses that are reflected in Table 1.4, did you use both

1 the time for the queries that were rejected at the gateway
2 and the time for the queries that went all the way into the
3 system and came out?
4 A (Witness Weeks) Yes.
5 Q And again here, looking at Table 1.6, would you
6 agree with me that it appears that those queries that never
7 make it into BellSouth's systems come back faster than those
8 queries that do make it into BellSouth's systems?
9 A (Witness Weeks) I think the evidence says that's
10 true and it's also logical.
11 Q Turning to test -- pre-ordering test IV-3-1 and
12 IV- -- through IV-3-9.
13 A (Witness Frey) Sorry, pre-order tables or tests?
14 Q Tests.
15 MR. HILL: What page are you on, counselor?
16 WITNESS FREY: We're turning to the large report
17 now, moving away from your stack?
18 BY MS. AZORSKY:
19 Q Actually before you move on, I want to ask you a
20 question. If you look at Table IV-1.5, when you told me
21 that TAG API responses were rejected by the BellSouth
22 gateway, could you look at Footnote 34 and do you see the
23 second sentence in that footnote where it says "TAG API
24 errors are generated by the CLECs' interface prior to the
25 transaction being sent through the BellSouth TAG gateway."

1 A (Witness Weeks) Yes, I see that sentence.
2 Q Is that an error in the report or do we need to
3 modify what we talked about?
4 A (Witness Weeks) Here's the answer, and not to get
5 too technical, there's a C++ function call that takes place
6 across an Orbix network, so even though there is a function
7 call that takes place on our side, it gets executed on the
8 BellSouth computers. So I could draw a picture if that's
9 helpful but the processing that takes place that determines
10 the transaction needs to be rejected runs on BellSouth
11 computers.
12 Q Okay, so let me ask it this way because you might
13 have tried not to be technical, but you were.
14 A (Witness Weeks) I'm sorry.
15 Q We're talking about two gateways that are pretty
16 much right next to each other, is that correct, in the
17 processing sense?
18 A (Witness Weeks) They're separated by a
19 communication facility that doesn't necessarily have the
20 proximity I think you implied, but -- there's a phone line
21 between then.
22 Q In processing time, does it have the proximity
23 that I am implying?
24 A (Witness Weeks) I've seen transmission delays in
25 the two and three second range, so is that proximity or not,

1 I -- I don't want to get into that.
2 Q All right. But it is, regardless whether it's the
3 CLECs' system or the BellSouth system, it does not include
4 an analysis of BellSouth's back end systems where the
5 processing of the queries happen.
6 A (Witness Weeks) That's correct. And the sentence
7 that you referred to is probably, in layman's terms, not as
8 accurate as it should be. In fact, there is -- think of it
9 as a phone call made on the CLEC side to someone sitting on
10 the BellSouth side and the decision-making framework that
11 processes the error and determines that it's an error is on
12 the BellSouth computer and returns back to the agent working
13 on the CLEC side the message -- through response that sorry,
14 that's a bad error, you can't go any further, and therefore,
15 it doesn't go back into the back end systems that do the
16 business logic. The TAG interface is protocol-based, it
17 doesn't have any business logic in it. The business logic is
18 back behind.
19 Q So if it's rejected at that point, it doesn't
20 really measure the time it takes for the business logic
21 processing that you were just referring to.
22 A (Witness Weeks) That's correct.
23 Q All right, if you could turn to pre-ordering test
24 IV-3-1 through IV-3-9. These are not summarized in the
25 handouts that I gave you.