

available to the BOC's customers. *Id.* Additionally, local switching includes all vertical features that the switch is capable of providing, as well as any technically feasible customized routing features. *Id;* see also *SWBT-TX Order*, ¶ 336.

The FCC has held that BOCs must permit CLECs to purchase unbundled local switching in a manner that permits competing carriers to offer, and bill for, exchange access and the termination of local traffic. *First Report and Order* ¶ 363, n. 772. Accordingly, the BOC must demonstrate that it offers equivalent access to billing information for this checklist item.

The FCC also has held that a BOC must make available trunk ports on a shared basis and routing tables resident in the BOC's switch, as necessary to provide access to the shared transport functionality. *Second Louisiana Order*, ¶ 209. Lastly, a BOC may not limit a CLEC's ability to use unbundled local switching to provide exchange access by requiring CLECs to purchase a dedicated trunk for an interexchange carrier's point of presence to a dedicated trunk port on the local switch. Therefore, to satisfy its obligation under this checklist item, a BOC must demonstrate compliance with these unbundled local switching requirements. *Bell Atlantic-NY Order*, ¶ 346; *SWBT-TX Order*, ¶ 336.

(2) **BellSouth Comments**

BellSouth asserts that it complies with its unbundled local switching obligations by providing: (1) line-side and trunk-side facilities; (2) basic switching functions; (3) vertical features (4) customized routing; (5) shared trunk ports; (6) unbundled tandem switching; (7) usage information for billing exchange access; and, (8) usage information for billing for reciprocal compensation. BellSouth makes available trunk ports on a

shared basis and routing tables resident in the BOC's switch, as necessary to provide access to shared transport functionality. Moreover, BellSouth does not require CLECs to purchase a dedicated trunk from an interexchange carrier's point of presence to a dedicated trunk port on the local switch. BellSouth also provides requesting CLECs with Feature Group D signaling, where requested and technically feasible. *Milner Affidavit*, ¶ 132.

According to BellSouth, it provides CLECs unbundled switching capability with the same features and functionality available to BellSouth's own retail operations, in a nondiscriminatory manner. *Id. at* ¶¶ 126-127. BellSouth points to actual commercial usage, as BellSouth has furnished over 333 unbundled switch ports in Georgia through March 31, 2001, and 388 region-wide. *Id. at* ¶ 135. BellSouth also provides CLECs with unbundled tandem switching and unbundled packet switching in accordance with FCC rule 51.391(c)(3). *Id. at* ¶¶ 133-134.

BellSouth asserts that it offers CLECs all vertical features that are loaded in the switch or that are loaded but not currently activated. *Id. at* ¶ 128. In addition, BellSouth will provide switch features not currently loaded in the switch pursuant to the bona fide request process, provided that the CLEC is willing to pay the additional costs involved in loading such features, such as additional right-to-use fees, programming costs to the manufacturer and internal costs to adapt BellSouth's systems to accept an order for the new feature. *Id.; see Second Louisiana Order*, ¶ 220 (BOC may require CLECs to request vertical switching features through a formal, finite process that would give the BOC an opportunity to determine their feasibility and develop the procedures for offering those features).

BellSouth asserts that it provides nondiscriminatory access to technically feasible customized routing functions, which allow calls from a CLEC's customer served by a BellSouth switch to reach the CLEC's operator services or directory assistance platforms. BellSouth provides customized routing using two methods – AIN and Line Class Codes (“LCC”). *Milner Affidavit*, ¶ 137. According to BellSouth, each of these methods provides CLECs with customized routing functionality in accordance with the FCC's rules and orders and are the same two methods of customized routing offered by SWBT in Texas. *SWBT-TX Order*, ¶¶ 340-341.

BellSouth's AIN method uses a database of the CLEC's routing choices queried during the call set up. The AIN method of customized routing allows the use of the AIN “hub” concept, which yields several advantages such as (1) allows the use of appropriate AIN “triggers” for all call types rather than only a limited set of call types; (2) allows even those end office switches that are not AIN-capable to use the AIN customized routing solution; and (3) optimizes the use of trunk groups by allowing the carriage of customized routing traffic over common trunk groups between the end office and the AIN hub. *Milner Affidavit*, ¶ 138.

BellSouth states that it completed end-to-end call-through testing of the AIN method on June 14, 2000. BellSouth then completed all methods and procedures for the service offering during the third quarter 2000, and posted a Market Service Description for the product to the interconnection website on October 23, 2000. To date, no CLEC has requested BellSouth's AIN method for customized routing, although BellSouth stands ready to provide it. *Id.* at ¶¶ 140-141. As BellSouth notes, the FCC believed BellSouth's AIN method of providing customized routing had “the potential to meet the

requirements of the *Local Competition First Report and Order*," although at the time of the *Second Louisiana Order* AIN was not then being currently offered. See *Second Louisiana Order*, ¶ 222. That is no longer the case, according to BellSouth, as the AIN solution for customized routing is available to any CLEC that wishes to use it. *Milner Affidavit*, ¶ 141.

The LCC method, which is the method by which BellSouth routes its own end users' calls, allows end user calls to be routed via the use of an LCC in the switch. *Id* at ¶ 142. For example, a CLEC's end users served by a BellSouth switch are configured such that when the end user dials 0-, a Line Attributes Table points to another table, a Position Table for 0- calls. This table in turn identifies a trunk group to the appropriate operator services platform. *Id.* at ¶ 142. In essence, according to BellSouth, the LCC directs an end user's call to whatever trunk group has been designated as appropriate by the carrier. A separate LCC is not needed for each end user function, but rather the same LCC can be used for multiple subscribers. The same LCC connects each of them to the same destination for the same type of call. *Id* at ¶ 142.

BellSouth asserts that it permits CLECs to purchase switching in a manner that permits them to offer, and to bill for, exchange access and termination of local traffic. To enable CLECs to do such billing, BellSouth states that it provides a purchaser of unbundled local switching with either: (1) actual terminating usage data indicating how many calls/minutes its customers received and identifying the carriers that originated those calls; or (2) a reasonable surrogate for this information when actual usage data is unavailable. *Scollard Affidavit* ¶¶ 20-27.

According to BellSouth, it has developed various Daily Usage Files ("DUF") that provide CLECs with usage records for call events that are recorded by BellSouth's central offices. These products are identical in all of the states in BellSouth's region. Two separate interfaces are available from which this information can be obtained. First, the Optional Daily Usage File ("ODUF") contains information on billable transactions for resold lines, interim number portability accounts and unbundled switch ports. For end users who are served by resold lines, interim number portability or unbundled switch ports, a CLEC can use the ODUF to bill for usage events associated with calls placed by those end users. Beginning in December 1998, BellSouth enhanced ODUF to include usage records for local calls originating from a CLEC's flat-rated lines ordered as resale. BellSouth refers to this ODUF option as the Enhanced ODUF, or EODUF. Second, the Access Daily Usage File ("ADUF") provides the CLEC with records for billing interstate and intrastate access charges (whether the call was handled by BellSouth or an interexchange carrier) and reciprocal compensation charges to other LECs and interexchange carriers for calls originating from and terminating to unbundled switch ports. *Id.* at ¶¶ 25-26.

The BellSouth network does not have the capability to record a terminating call record when an end user served out of a BellSouth switch has placed a call to a CLEC's unbundled switch port. Because the UNE charges that would be paid by the CLEC to BellSouth for these calls offsets the reciprocal compensation charges collected for the same calls, the need for the call records is obviated. This, in effect, represents a surrogate for the records that is offered to all CLECs obviating the need for the actual call record data. *Id.* at ¶ 27.

During April 2001, BellSouth provided over 171 million DUF records to 230 different CLECs in its region with about 55 million of those records going to 68 CLECs in Georgia. The DUF interfaces allow a CLEC to process call records in its billing systems in substantially the same manner and timeframes as BellSouth processes these types of records in its own systems. *Id.* at ¶ 29.

(3) CLEC Comments

AT&T, the only CLEC to contest BellSouth's performance with respect to this checklist item, argues that BellSouth has not complied with Checklist Item 6 because it has not provided a working customized routing arrangement for any CLEC in its territory. Furthermore, according to AT&T, BellSouth has failed to provide an adequate ordering process for customized routing.⁵⁵ AT&T Direct Comments, Checklist Item #6, p. 1.

(4) Discussion

The Commission finds that BellSouth is providing unbundled local switching consistent with the requirements of Checklist Item 6. In its *Second Louisiana Order*, the FCC concluded that BellSouth proved that it provides, or can provide, the line-side and trunk-side facilities of the switch, the basic switching function, trunk ports on a shared basis, and unbundled tandem switching. *See Second Louisiana Order*, ¶¶ 210, 212-215 and 228-29. The Commission finds that BellSouth continues to provide unbundled switching in accordance with the FCC's requirements. Although finding that BellSouth provided the basic switching functions on an unbundled basis, the FCC held in the

⁵⁵ AT&T also complains about BellSouth's implementation of the Originating Line Number Screening ("OLNS") platform for OS/DA, which is a complaint also raised by AT&T under Checklist Item 7. The Commission addresses the OLNS issue in connection with Checklist Item 7.

Second Louisiana Order that BellSouth failed to meet its burden of proof with respect to access to vertical features, customized routing, usage information for billing exchange access, and usage information necessary for billing for reciprocal compensation. The Commission finds that BellSouth has remedied each of the FCC's concerns.

With respect to AT&T's allegations concerning customized routing, the Commission has previously held in Docket Nos 11853-U and 11901-U that BellSouth "met the requirement for customized routing through the LCC and AIN methods." See, e.g., Order, *In re: Petition of AT&T Communications of the Southern States, Inc., et al., for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc.*, Docket No. 11853-U, p. 12 (April 20, 2001). The Commission believes that AT&T has not offered any reason for this Commission to reach a different finding here.

AT&T does not appear to dispute that BellSouth has implemented the technologies and procedures that provide CLECs with access to customized routing, but instead argues that BellSouth cannot comply with Checklist Item 6 because "BellSouth has not provided a single working customized routing arrangement for any CLEC in its territory." *AT&T Comments*, CI 7, p. 1; *Bradbury Affidavit*, ¶ 138. This argument is without merit. As the FCC has made clear, actual commercial usage is not required to establish checklist compliance. See *Ameritech-MI Order*, ¶ 110 (concluding that "a BOC 'provides' a checklist item if it actually furnishes the item at rates and on terms and conditions that comply with the Act or, *where no competitor is actually using the item*, if the BOC makes the checklist item available as both a legal and a practical matter." Emphasis added). Consistent with the Commission's prior decisions on this issue, the

Commission finds that customized routing is available from BellSouth both as a legal matter and a practical one.

The Commission previously addressed, in Docket No. 11853-U, the process by which customized routing should be ordered efficiently. This process entails one default routing plan per state with multiple pre-assigned routing options. The multiple routing options will be built into the BellSouth switches where CLEC service is requested. The BellSouth switch will be able to route the OS/DA traffic for AT&T end users to different platforms, as prescribed by AT&T, and the routing will be the default routing for its end users in each of those classes of service. *Milner Reply Affidavit*, ¶ 119. While the parties disagreed about the LCC information that AT&T must include on an LSR for the customers that it chooses not to route through the default plan, the Commission resolved this issue in its decision on BellSouth's Motion for Clarification and Reconsideration in Docket No. 11853-U. The Commission expects BellSouth to comply fully with the Commission's decision, and in the event that is not the case, AT&T can bring this matter to the Commission's attention.

(5) Conclusion

The Commission concludes that BellSouth has demonstrated compliance with Checklist Item 6.

G. Checklist Item 7 – 911, Directory Assistance, Operator Services

(1) Overview

Checklist Item 7 requires that a BOC provide nondiscriminatory access to 911 and enhanced 911 ("E-911"), operator call completion, and directory assistance services.

Second Louisiana Order, ¶¶ 235, 239 and 244. The FCC has found that a BOC must provide CLECs access to its 911 and E-911 services in the same manner that a BOC obtains such access for itself. Specifically, the BOC must maintain the 911 database entries for CLECs with the same accuracy and reliability that it maintains this database for its own customers and must be in compliance with the FCC rules implementing Section 251(b)(3). *Bell Atlantic-NY Order*, ¶ 349; *SWBT-TX Order*, ¶ 344. Although operator assistance and directory assistance services (“OS/DA”) are no longer network elements that must be provided on an unbundled basis under specified circumstances, the FCC has held that OS/DA still must be provided in accordance with Sections 201(b) and 202(a), which require that rates and conditions are just and reasonable and not unreasonably discriminatory.

(2) **BellSouth Comments**

BellSouth states that access to 911 and E911 services in Georgia is provided through existing tariffs to local government bodies. According to BellSouth, once these local government bodies select a particular type of 911 service, BellSouth provides customers of CLECs with access to the 911 service selected for the area in which they reside, in a manner identical to the 911 service supplied to BellSouth's own customers. *Sapp Affidavit*, ¶ 5.

With basic 911 service, a 911 call is routed to a centralized answering location known as a Public Safety Answering Point (PSAP). The attendant at the PSAP obtains the pertinent information that identifies the call and the caller's need and dials a 7-digit or 10-digit number, as appropriate, to transfer the caller to that agency. The calling party's emergency information is verbally relayed to the responding agency and a unit is

dispatched to the caller's location. BellSouth explains that its E-911 service is a full featured electronic system that provides major enhancements to 911 service, including: (1) selective routing electronically of 911 emergency calls from a 911 tandem to the proper PSAP based on the Emergency Services Number ("ESN") routing code that has been assigned to the caller's address; and (2) the name and address associated with the calling party's telephone number is displayed on the display at the PSAP. *Sapp Affidavit*, ¶¶ 6-7.

According to BellSouth, when a reseller or facilities-based CLEC customer dials 911, the call is treated just like that of any BellSouth customer. BellSouth routes the CLEC customer's E911 call to the appropriate PSAP, and it provides and validates the necessary customer information to the PSAP. A 911 call is also treated just like that of any BellSouth customer. In the case of 911, the reseller or facilities-based CLEC must deliver the ANI of their customer to the correct PSAP just as BellSouth is required to do. *Id.* at ¶ 9.

When a CLEC purchases the UNE-P or when it purchases BellSouth's local service for resale to its customers, BellSouth states that 911 service is included, and BellSouth provides and maintains the service. Facilities-based providers have their own switch and are responsible for getting the 911 call to the appropriate PSAP or, if E911, to the appropriate BellSouth 911 tandem. They are also responsible for getting their customer information in the BellSouth 911 database in the proper format. *Sapp Affidavit*, ¶ 10. According to BellSouth, it updates and maintains the database that supports 911 and E-911 services in a nondiscriminatory manner. *Id.* at ¶ 11.

BellSouth asserts that it has had procedures in place since early 1996 for CLECs to connect their switches to BellSouth's E911 tandems. As of March 31, 2001, CLECs had requested and BellSouth had provided some 1,272 E911 trunks in Georgia, and in its nine-state region, BellSouth had a total of 4,400 trunks in service connecting CLEC switches to BellSouth's E911 tandems. *Id.* at ¶ 23.

According to BellSouth, as of March 31, 2001, 35 facilities-based CLECs in Georgia were sending BellSouth mechanized updates for inclusion in the 911 database. Within BellSouth's entire nine-state region, 66 facilities-based CLECs were sending such mechanized updates. Because the methods and procedures that allow other carriers, including independent LECs, to access BellSouth's E911 and 911 updating capabilities have been in place for some time, BellSouth states that for CLECs to obtain such updating has become routine and no end-to-end testing of E-911 database updating was necessary. *Id.* at ¶ 24.

BellSouth also asserts that it provides nondiscriminatory access to OS/DA by providing directory assistance services to CLEC customers in the same manner as it does for its own retail subscribers. *Milner Affidavit*, ¶ 156; *Coutee Affidavit*, ¶ 6. BellSouth states that it provides CLECs access to the Directory Assistance Access Service ("DAAS") and the Directory Assistance Call Completion service ("DACC") via trunks connecting the CLEC's point of interface with the BellSouth platform. *Milner Affidavit*, ¶ 156. As of March 31, 2001, CLECs in Georgia had 569 directory assistance trunks in place between CLEC switches and BellSouth's platform. *Milner Affidavit*, ¶ 157.

BellSouth also notes that CLECs can provide their local exchange customers with the same access to BellSouth's DA service using the same 411 dialing pattern as

BellSouth provides its retail customers. *Coutee Affidavit*, ¶ 10; *Bell Atlantic-NY Order*, ¶ 352. According to BellSouth, the DA request will be handled in the same manner as BellSouth does for its own retail local exchange customers. The same operators, the same automated systems, and the same databases are used to provide the CLEC local exchange customer with DA. Whether the CLEC elects to brand with its name or not brand, the call is handled with the same speed, care, accuracy and quality that a BellSouth retail local exchange customer would receive. *Coutee Affidavit*, ¶ 10.

BellSouth states that it also provides CLECs with access to the Directory Assistance Database Service (“DADS”) to allow CLECs to use BellSouth’s subscriber listing information to set up their own directory assistance services. *Coutee Affidavit*, ¶ 11. In addition, BellSouth provides CLECs with access to the Direct Access Directory Assistance Service (“DADAS”), which gives CLECs direct access to BellSouth directory assistance database so that CLECs may provide directory assistance services. All information contained in BellSouth’s listing database for its own end users, CLECs’ end users, and independent LECs’ end users is available to CLECs in the same manner as it is available to BellSouth itself. *Milner Affidavit*, ¶ 159-160.

According to BellSouth, CLECs have four branding options: BellSouth-branded; unbranded; custom branding; and self-branding. *Milner Affidavit*, ¶ 169. BellSouth provides CLECs the ability to apply unique branding via customized routing – either through the AIN method or the LCC method. As described under Checklist Item 6, the LCC method, which is the method by which BellSouth routes its own end users’ calls, allows end user calls to be routed via the use of a LCC in the switch. *Milner Affidavit*, ¶ 142. BellSouth asserts that a CLEC’s use of LCCs to reach an OS/DA platform is the

same as BellSouth's use of LCCs to reach its Traffic Operator Position System ("TOPS"), and thus BellSouth's provision of customized routing is nondiscriminatory. *Milner Affidavit*, ¶ 142 & 170.

BellSouth also states that it provides CLECs with an additional means to brand end users' calls - Operator Line Number Screening ("OLNS"). While OLNS is not a type of customized routing, it is a method of providing customized branding in addition to the LCC and AIN methods. *Milner Affidavit*, ¶ 178. According to BellSouth, OLNS provides a means of making information available to the OS/DA platform about the end user originating a telephone call. OLNS allows end users' calls to proceed from the end office switches to BellSouth's OS/DA platform over common trunk groups (that is, a single trunk group between an end office switch and the OS/DA platform carrying multiple service providers' traffic including calls from BellSouth's retail customers). Once the call arrives at the OS/DA platform, OLNS is used to "look up" the telephone number of the calling party in its database to determine whether and how to brand a call from that particular end user. *Milner Affidavit*, ¶ 178.

(3) CLEC Comments

Access Integrated and Z-Tel Communications, Inc. ("Z-Tel") raise two issues regarding BellSouth's provision of directory assistance. Access Integrated claims that BellSouth is not providing nondiscriminatory access to directory assistance, pointing to a situation with one customer whose information had been deleted from directory assistance. Access Integrated Comments, Sec. III, Conclusion, Ex. D. In addition, Z-Tel contends that 10% of Z-Tel customers are not contained in the DA database. Z-Tel Comments, p. 13.

Z-Tel argues that BellSouth's OLNS is not branded properly, and that the BellSouth name remains on the voice tree. Z-Tel Comments, pp. 14-15. Similarly, WorldCom states that BellSouth has incomplete CLEC branding for operator services using OLNS and that the BellSouth name is on the voicemail tree or there is no branding. *Lichtenberg Affidavit*, ¶10. AT&T raises similar concerns, complaining that BellSouth's OLNS is inadequate and does not work correctly in conjunction with the UNE-P based on a test conducted by AT&T. *Bradbury Affidavit*, ¶146.⁵⁶

(4) Discussion

Based on the uncontested evidence in the record, the Commission finds that BellSouth is providing nondiscriminatory access to 911 and E-911. The FCC previously concluded that BellSouth had successfully demonstrated compliance with this aspect of Checklist Item 7. *See Second Louisiana Order*, ¶¶ 235-36. BellSouth has presented evidence that it continues to provide access to 911 and E-911 services in a manner consistent with that presented to the FCC, and no party in this proceeding contends otherwise. *Milner Affidavit*, ¶¶ 151-153.

As to OS/DA, this Commission has previously determined that BellSouth is not required to offer these services on an unbundled basis because it provides customized routing as required by the FCC. However, BellSouth still must establish that it provides nondiscriminatory access to OS/DA, which means that CLEC customers must be "able to access each LEC's directory assistance service and obtain a directory listing on a

⁵⁶ In challenging BellSouth's compliance with Checklist Item 7, AT&T raises a number of the same issues regarding BellSouth's provision of customized routing that it raised in connection with Checklist Item 6. *Bradbury Affidavit*, ¶¶ 137-140 and 142. Because the Commission previously addressed these issues in finding that BellSouth has demonstrated compliance with Checklist Item 6, these same issues will not be addressed again here.

nondiscriminatory basis, notwithstanding: (1) the identity of a requesting customer's local telephone service provider; or (2) the identity of the telephone service provider for a customer whose directory listing is requested." *Second Louisiana Order*, ¶ 241, citing 47 U.S.C. § 51.217(c)(3). Nondiscriminatory access to the dialing patterns of 4-1-1 and 5-5-5-1-2-1-2 to access directory assistance was technically feasible, the FCC concluded, and would continue. *Second Louisiana Order*, ¶ 241. The FCC specifically noted that the phrase "nondiscriminatory access to operator services" means that "a telephone service customer, regardless of the identity of his or her local telephone service provider, must be able to connect to a local operator by dialing 'O', or 'O plus' the desired telephone number." *Id.* at ¶ 112.

In its *Second Louisiana Order*, the FCC found that BellSouth made a *prima facie* showing that it has a concrete legal obligation to provide nondiscriminatory access to OS/DA, and that it provides access to its directory assistance database on a "read only" or "per dip" inquiry basis through its DADAS. *Second Louisiana Order*, ¶¶ 243 and 248. Nevertheless, the FCC concluded that BellSouth failed to make a *prima facie* showing that it provides nondiscriminatory access: (1) to BellSouth-supplied operator services and directory assistance; and (2) to the directory listings in its directory assistance databases. *Second Louisiana Order*, ¶ 243. It observed in this regard, however, that "the deficiencies we identify . . . should be readily correctable by BellSouth." *Id.*

First, the FCC stated that in future applications, if BellSouth chose to rely on performance data to demonstrate its compliance with this checklist item "it should either disaggregate the data or explain why disaggregation is not feasible or is unnecessary to show nondiscrimination." *Second Louisiana Order*, ¶ 245. This Commission has

previously held that disaggregation of performance data related to OS/DA is unnecessary. BellSouth's provision of directory assistance and operator services to CLECs is parity by design by virtue of the fact that the flow of service orders to directory assistance or operator services platforms is exactly the same regardless of the source of the service order. *Milner Affidavit*, ¶¶ 166 and 168. Because calls are not differentiated between BellSouth retail calls and CLEC calls, there is no need to disaggregate performance data between the types of calls. BellSouth is reporting its performance data in the manner required by this Commission.

Second, the FCC held that in future applications, BellSouth must show that its method of providing branding results in nondiscriminatory access. *Second Louisiana Order*, ¶ 247. The Commission believes that BellSouth has made this showing and that its methods of providing branding fully comply with the FCC's requirements.

The Commission concludes that BellSouth has adequately addressed the problem identified by AT&T, WorldCom, and Z-Tel concerning the branding of BellSouth's OLNS which resulted in their customers being given service options under BellSouth's brand when the customers dialed "0." BellSouth addressed this problem with an enhancement to OLNS that was implemented on June 15, 2001, as a result of which all branded CLEC directory assistance callers are appropriately identified when they arrive at the directory assistance operator. The operators are provided the CLEC name for each caller, which enables the operators to identify themselves correctly. Furthermore, the menu options presented to the CLEC customers when dialing "0" have been modified to eliminate all references to any BellSouth services. *Milner Reply Affidavit*, ¶¶ 121-122.

WorldCom acknowledges that this enhancement to OLNS has resolved its concerns. WorldCom Reply Comments, p. 3. However, AT&T contends otherwise, arguing that by virtue of eliminating the BellSouth brand to remove the options for an AT&T customer to have his or her call routed to “BellSouth residence service and repair” or “BellSouth business service and repair,” BellSouth has provided AT&T with “inferior capability” for OS/DA service. The Commission disagrees because the capability for automatic routing of calls to a service or repair center is not an OS/DA function. BellSouth’s obligation under this checklist item is to permit an end user customer to obtain the same operator services and directory assistance regardless of the identity of the customer’s local telephone service provider or the identity of the local telephone service provider for a customer whose directory listing is requested – an obligation with which the Commission concludes BellSouth has complied.

With respect to Z-Tel’s allegation that BellSouth does not update properly Z-Tel customer account information in BellSouth’s directory assistance databases, the Commission finds that Z-Tel has not provided sufficient information to support such allegations. The Joint Affidavit of Jennifer Adams, Douglas Forster, and Margaret Rubino filed on behalf of Z-Tel refers to a sample of Z-Tel customers whose names and telephone numbers were allegedly omitted from BellSouth directory assistance database. However, Z-Tel did not provide a copy of the sample or identify the customers’ names and telephone numbers, which would be required in order for BellSouth to investigate and for this Commission to evaluate fully Z-Tel’s claims.

Nor is the Commission persuaded by Access Integrated’s argument that BellSouth has not satisfied the requirements of Checklist Item 7 based upon a single incident, which

occurred almost one year ago. BellSouth has explained the circumstances surrounding the incident in question and points out that the problem experienced by Access Integrated's customer was caused by a post-completion error, which can occur for both BellSouth's retail customers and CLEC end users. *Ainsworth Reply Affidavit*, ¶ 162. In any event, the Commission does not believe this one isolated occurrence warrants a finding of noncompliance by BellSouth with the requirements of Checklist Item 7.

(5) **Conclusion**

The Commission concludes that BellSouth has demonstrated compliance with Checklist Item 7.

H. **Checklist Item 8 -- White Pages Directory Listings**

(1) **Overview**

Checklist Item 8 requires that a BOC provide “[w]hite pages directory listings for customers of the other carrier’s telephone exchange service.” Section 271(c)(2)(B)(viii). According to the FCC, the term “white pages” refers to the local exchange directory that includes the residential and business listings of the customers of the local exchange provider and this term includes, at a minimum, the subscriber’s name, address, telephone number, or any combination thereof. *Bell Atlantic-NY Order*, ¶¶ 357-359. The FCC has found that a BOC satisfies the requirements of Checklist Item 8 by demonstrating that it: (1) provides nondiscriminatory appearance and integration of white page directory listings to CLEC customers; and, (2) provides white page listings for competitors’ customers with the same accuracy and reliability that it provides its own customers. *SWBT-TX Order*, ¶ 352-354.

(2) **BellSouth Comments**

BellSouth asserts that it provides CLECs with white pages directory listings for the CLECs' customers that include the subscriber's name, address and telephone number. *Barretto Affidavit*, ¶ 7. According to BellSouth, the CLECs' white pages listings are fully integrated with BellSouth's listings and are identical in size, font, and typeface. *Barretto Affidavit*, ¶ 16. BellSouth asserts that the CLECs' listings are maintained with the same accuracy and reliability as BellSouth's own customer listings and that it has implemented procedures to minimize the potential for errors by allowing CLECs to review and edit their customers' listings. *Barretto Affidavit*, ¶¶ 20-21.

(3) CLEC Comments

AT&T claims that BellSouth cannot satisfy Checklist Item 8 because directory listing orders are excluded from the Missed Installation Appointment and Average Completion Interval measures. AT&T Comments, Item #8, p. 1. KMC argues that BellSouth does not comply with Checklist Item 8 because it fails to process directory listing information in an accurate and reliable manner and that BellSouth does not provide KMC enough time to review the proofs. *Johnson Affidavit*, ¶ 8; *Weiss Affidavit*, ¶ 17. Specifically, KMC claims that in October 2000, BellSouth changed its procedures for submitting directory listings without adequate notice to KMC. *Johnson Affidavit*, ¶ 9. In addition, according to KMC, BellSouth printed an incorrect number for KMC Telecom in the most recent BellSouth white pages, KMC Comments, p. 8, and in April 2001, BellSouth "lost" KMC's customers' directory listings for the prior year. *Weiss Affidavit*, ¶17.

(4) Discussion

The Commission finds that BellSouth provides nondiscriminatory appearance and integration of white page directory listings to CLEC customers. The processes by which BellSouth sends directory listing orders to BellSouth Advertising and Publishing Company are identical for BellSouth and CLEC customers. The Commission also finds that BellSouth provides white page listings for competitors' customers with the same accuracy and reliability as its own retail customers. BellSouth has met the Commission's benchmark for update accuracy for directory listings and directory assistance in March, April, May, and June 2001.⁵⁷ The directory listing database does not differentiate between CLEC or BellSouth retail listings. Therefore, the database achieves parity by design. Furthermore, the FCC previously concluded that BellSouth met this checklist item. *Second Louisiana Order*, ¶ 252. BellSouth has presented evidence that its actions and performance at this time are consistent with the showing previously made to the FCC upon which the FCC made the determination that the statutory requirements for the checklist item were met. *Second Louisiana Order*, n. 151; *Milner Affidavit*, ¶ 180.

The Commission does not agree with AT&T that BellSouth cannot satisfy Checklist Item 8 because directory listing orders are excluded from the Missed Installation Appointment and Average Completion Interval measures. BellSouth's directory listing performance is currently captured and reported in the Average Database Update Interval and Percent Database Update Accuracy measures approved by this Commission. To the extent AT&T believes those measures should be changed or that new measures should be adopted, such issues should be addressed in the October 2001 workshops that the Commission will hold in Docket No. 7892-U.

⁵⁷ Docket No. 7892-U Performance Measure (F.13.1.2).

Nor does the Commission agree with KMC that BellSouth has failed to satisfy Checklist Item 8 because of alleged problems experienced with listings for KMC's customers. BellSouth has presented evidence refuting many of KMC's allegations and suggesting that some of the problems experienced by KMC were KMC's own doing. *Hudson Reply Affidavit*, ¶¶ 7-10. Although BellSouth acknowledges that the name of one KMC customer was misprinted in the white pages directory, *Hudson Reply Affidavit*, ¶¶ 12-13, the Commission does not believe that one isolated incident shows noncompliance with Checklist Item 8.

(6) **Conclusion**

The Commission concludes that BellSouth has demonstrated compliance with Checklist Item 8.

I. **Checklist Item 9--Numbering Administration**

(1) **Overview**

Checklist Item 9 requires that a BOC provide nondiscriminatory access to telephone numbers for assignment to other carriers' telephone exchange service customers. 47 U.S.C. § 271(c)(2)(B)(ix). The checklist also mandates compliance with numbering "guidelines, plan or rules" after they have been established. *Id.*

(2) **BellSouth Comments**

BellSouth notes that, in its *Second Louisiana Order*, the FCC concluded that BellSouth met this competitive checklist requirement. *Second Louisiana Order*, ¶¶ 260-262. Since that time, NeuStar has assumed all the responsibilities of the North American Numbering Plan Administrator ("NANPA"). *Milner Affidavit*, ¶ 181. BellSouth no

longer has any responsibility for the assignment of central office codes (NXXs) or for NPA relief planning. *Milner Affidavit*, ¶ 184. Although it is no longer a CO code administrator, and no longer performs any functions with regard to number administration or assignment, BellSouth asserts that it continues to adhere to all relevant industry guidelines and FCC rules, including those provisions requiring accurate reporting of data to the Code Administrator.

(3) **CLEC Comments**

No CLEC filed comments addressing BellSouth's compliance with Checklist Item 9.

(4) **Discussion**

The Commission finds that BellSouth complies with the FCC's number assignment rules and the Industry Numbering Committee Central Office Code Assignment guidelines as required by this checklist item. The FCC previously determined that BellSouth complied with Checklist Item 9, and the Commission has not been presented with any evidence that would warrant a contrary finding here.

(5) **Conclusion**

The Commission concludes that BellSouth has demonstrated compliance with Checklist Item 9.

J. **Checklist Item 10--Databases and Associated Signaling**

(1) **Overview**

Checklist Item 10 requires a BOC to offer "[n]ondiscriminatory access to databases and associated signaling necessary for call routing and completion." 47 U.S.C. § 271(c)(2)(B)(x). In its *First Report and Order*, the FCC identified signaling networks

and call-related databases as network elements, and concluded that LECs must provide the exchange of signaling information between LECs necessary to exchange traffic and access call related databases. *See* 47 C.F.R. 51.319. The FCC requires a BOC to demonstrate that it provides nondiscriminatory access to: (1) signaling networks, including signaling links and signaling transfer points; (2) certain call-related databases necessary for calling routing and completion, or in the alternative, a means of physical access to the signaling transfer points linked to the unbundled database; and, (3) Service Management Systems (“SMS”). *SWBT-TX Order*, ¶ 362. In addition, a BOC must design, create, test, and deploy AIN-based services through the SMS through a Service Creation Environment. *Id.*

(2) **BellSouth Comments**

BellSouth asserts that it complies with Checklist Item 10 by offering CLECs the very same access to signaling and call-related databases as BellSouth has, thereby allowing calls to or from CLEC customers to be set up just as quickly and routed just as efficiently as calls to or from BellSouth customers. When a CLEC purchases unbundled local switching from BellSouth, it automatically obtains the same access to BellSouth’s switching network as BellSouth provides itself. *Milner Affidavit*, ¶¶ 190-191. BellSouth asserts that it also provides nondiscriminatory access to its signaling networks, including Signal Transfer Points (“STP”), Signaling Links, and Service Control Points (“SCP”). *Id.* at ¶ 190. In addition, BellSouth provides SS7 network service to CLECs for their use in furnishing SS7-based services to their own end users or to the end users of another CLEC that has subtended its STP to the signaling network of the interconnecting CLEC. *Id.* at ¶192. SS7 signaling is available between CLEC switches, between CLEC switches and

BellSouth switches, and between CLEC switches and the networks of other carriers connected to BellSouth's SS7 network. *Id.* BellSouth argues that the 13 CLECs connecting directly to its signaling network in Georgia as of April 24, 2001, demonstrate its availability. *Milner Affidavit*, ¶ 197.

BellSouth also asserts that it provides CLECs with nondiscriminatory access to a variety of call-related databases. Specifically, BellSouth offers access to its Line Information Database ("LIDB"); Toll Free Number Database; Local Number Portability database; Calling Name Delivery database ("CNAM"); Advanced Intelligent Services Feature Database; and the 911/E911 databases. *Id.* at ¶ 198. In addition, BellSouth provides access to a Service Control Point ("SCP"), which is a network element where call related databases can reside. *Id.* at ¶ 199. SCPs also provide operational interfaces to allow for provisioning, administration and maintenance of subscriber data and service application data. *Id.* Each of these databases is available to a requesting CLEC in the same manner and via the same signaling links to the databases that are used by BellSouth itself consistent with the confidentiality requirements of the Act. 47 U.S.C. § 222.

The LIDB is a transaction-oriented database accessible through Common Channel Signaling networks such as the SS7 network. It contains records associated with end user line numbers and special billing numbers. According to BellSouth, access to LIDB is at present through a third-party "signaling hub" provider or interexchange carrier directly connected to BellSouth's signaling network. LIDB queries are billed to the third party, and not to the CLEC. CLECs can access the LIDB database once the CLEC has put required signaling links in place. *Milner Affidavit*, ¶ 200. BellSouth asserts that it

enables CLECs to update customer information in the LIDB in substantially the same time and manner as its retail operations. *Id.*

CNAM enables the called end user to identify the calling party by a displayed name before the call is answered (often referred to as a “caller-ID service”). CNAM Service Query is BellSouth’s service that allows a CLEC to query BellSouth’s Calling Name database. When a call is made, the calling party’s name, date, and time of call are retrieved from the SCP database and delivered to the end user’s premises between the first and second ring for display on compatible customer premise equipment. When a CLEC purchases unbundled local switching from BellSouth, BellSouth asserts that access to the CNAM database will be identical to that used by BellSouth in the same switch. When a CLEC operates its own switching center, access to the CNAM database is obtained through the SS7 network. The CLEC accesses the SCP through the BellSouth STP or by connecting the CLEC’s STP to the BellSouth STP and then to the BellSouth SCP. CLECs that deploy their own switching facilities are able to access BellSouth’s SS7 network for each of their switches through a signaling link between their switches and BellSouth’s STP in the same manner as BellSouth connects its own switches to the STP. The same features, functions, and capabilities that are available to BellSouth are available to the CLEC. *Milner Affidavit*, ¶¶ 201-03.

Access to BellSouth’s Toll Free Number and Number portability databases allow a CLEC to access the databases for purposes of switch query and database response. BellSouth’s Toll Free Number database provides the CLEC information required to determine the appropriate routing to a toll-free number such as an 800 or 888 number,