

BellSouth 271 Application for Georgia and Louisiana

Reasons to Deny

I. While the level of competition is one indicator of open systems, systems that are not fully functioning and reliable are discriminatory and they introduce cost, delay and performance handicaps into the competitive landscape.

- The DOJ expressed significant concern about a number of deficiencies with BellSouth's OSS:

“Despite BellSouth's improvement of its systems for processing CLEC orders during the past three years, the Department is concerned that the remaining deficiencies may negatively affect CLECs ordering UNEs, both bundled and unbundled, in a number of ways. Orders that are manually processed are more likely to be provisioned incorrectly, and manual processing prevents CLECs from relying on their own automated systems and slows CLECs' response to customer inquiries.”

- As discussed below, the record of this proceeding is replete with evidence of the deficiencies that continue to plague BellSouth's systems and processes.

II. Key requirements of previous cases have not been met. For example:

- BellSouth still has not made a CLEC test environment available for CLECs to test software upgrades before implementation. Although BellSouth premiered the CAVE test environment in July, it was on-line for a single 30 day period and was then taken down for repairs. It was just recently put back on-line for CLEC testing. The Commission has repeatedly found that an adequate and stable test environment is an essential prerequisite to any effective change control process. CLECs "need access to a stable testing environment to certify that their OSS will be capable of interacting smoothly and effectively with [the BOC's] OSS, as modified . . . Prior to issuing a new software release or upgrade, the BOC must provide a testing environment that mirrors the production environment" so that CLECs can adequately "test the new release." Moreover, BST has already admitted that CAVE does not fully mirror the production environment. The Commission has held that, without a mirror image environment, there is a risk that, after implementation of a release, CLECs "may be unable to process orders accurately and unable to provision new customer services without delays." See New York 271 Order, para 109.

- Unlike Verizon and SBC, BellSouth ultimately controls the change management process by reserving for itself the power to veto CLEC prioritized change requests and by denying CLECs a final go/no go vote on software upgrades. "Without a change management process in place, a BOC can impose substantial costs on competing

carriers simply by making changes to its systems and interfaces without providing adequate testing opportunities and accurate and timely notice and documentation of the changes." See New York 271 Order, para 103; Texas 271 Order, para 106. In determining whether a BOC has given CLECs a meaningful opportunity to compete, the Commission will give "substantial consideration to the existence of an adequate change management process and evidence that the BOC has adhered to this process over time." See New York 271 Order, para 102; Texas 271 Order, para 106. Even the GA Commission appears to concur that there are problems with the process as it has now agreed to accept CLEC comments on process improvements, which are due January 31, 2002.

- BellSouth still has not provided CLECs with the ability to parse CSRs, despite the fact that this problem was originally identified in BellSouth's second Louisiana Application three years ago. The Commission has repeatedly held that a "BOC must enable competing carriers to transfer pre-ordering information electronically to the BOC's ordering interface or to the carrier's own back office systems, which may require 'parsing' pre-ordering information into identifiable fields." See New York 271 Order, para 137; "Successful parsing is . . . a necessary component of successful integration." Texas 271 Order, para. 153.

- BellSouth has been required to regularly revise its reported performance data to correct errors or oversights; KPMG has not been able to reliably replicate BellSouth's performance reports; and the GA Commission's audit of BellSouth's performance reporting is not yet complete. Indeed, as a result of the ongoing audit in GA, three new exceptions and one amended exception were recently filed with the GA Commission, and additional draft exceptions are pending. In short, there is no record upon which the Commission can conclude that BellSouth's performance data is "stable and reliable," a fundamental showing in all prior applications. Absent stable and reliable performance data, no performance assurance penalty or remedy plan can be effective.

- BellSouth continues to have problems with its due date calculator that causes certain CLEC orders to receive due dates that are longer than appropriate. Although BellSouth has initiated multiple "fixes" of this problem and performs manual work-arounds, in November alone over 12,000 resale and UNE-P orders were affected by this problem.

- BellSouth continues to rely excessively on the manual handling of orders, with more than 25% of all mechanically submitted orders falling out for manual processing due to BellSouth error or system design limitations. The Commission cited this deficiency as a basis for rejecting BellSouth's second Louisiana Application. When coupled with BellSouth's substandard performance on order accuracy, this is an issue that must be addressed.

III. BellSouth's eleventh hour assertions do not overcome these deficiencies.

- BellSouth now alleges that testing of a fully parsed CSR functionality is available. The fact is that BellSouth admitted on December 10 that the two documents CLECs need to code for parsed CSRs (the pre-order business rules and the TAG release 7.7 API technical specifications) need to be updated and will not be posted for CLEC use until December 17.

- BellSouth now asserts that AT&T has admitted to integration capabilities. The fact is that AT&T has succeeded in some parsing of the address information, but unlike BellSouth, AT&T CANNOT fully parse a CSR and AT&T CANNOT parse any information with the same reliability as BellSouth's retail operation. BellSouth retail has full and reliable parsing capabilities that have been denied to the CLEC community for over 2 years.

- BellSouth now asserts that it has worked hard to bring its service order accuracy performance to an acceptable level of performance. The fact is that the service order accuracy was found to be "not satisfied" by KPMG in GA and KPMG concluded that service order accuracy was one area that could have "a material adverse impact on competition." Even if you accept BellSouth's late filed October performance data as evidence of improvement in this area, its 76% accuracy performance in even a single category -- and it happens to be the UNE category in which BellSouth sees the greatest volume of orders -- demonstrates that problems persist. Indeed, GA PSC Staff indicated this week that they will recommend adding "service order accuracy" to the penalty plan given BellSouth's sustained unsatisfactory performance in this area.

- BellSouth asserts that problems with its due date calculator have been met. But BellSouth also admits that, even with all its fixes and work-arounds, certain orders continue to receive double FOCs – over 12,000 orders in November alone.

- BellSouth is now committing to "improving" its performance in the change management area and is allocating more resources to implement CLEC requested changes. But BellSouth has not surrendered its veto authority. Moreover, there is no evidence that this "commitment" will eliminate or meaningfully reduce the back-log of CLEC change requests. Finally, BellSouth's promise to implement certain CLEC changes in the first half of 2002 is really meaningless as some of these CLEC prioritized change requests have been pending for over 2 years.

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If approved, the systems and processes as currently implemented in Georgia will serve as the standard to be met in all other BellSouth states. The Bureau is absolutely correct in requiring BellSouth to fully meet the 271 standards articulated by this Commission BEFORE approval is granted thereby ensuring a stable, reliable and fully operational competitive environment and a meaningful opportunity for CLECs to compete. Work remains to be done and BellSouth should be required to do it.