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December 13, 2001

EX PARTE

Ms. Magalie Salas
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

DEC 13 2001

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Re: CC Docket No. 01-277

Dear Ms.Salas:

On December 12, 2001, Jan Funderburg, Ernest Bush, Jonathan Banks, Bill Stacy, Glenn Reynolds, and I, representing BellSouth, met with Jordan Goldstein, Senior Legal Advisor to Commissioner Copps to discuss issues raised concerning the BellSouth application pending in this docket. The attached documents formed the basis for BellSouth's presentation. We also gave Mr. Goldstein copies of the written ex partes filed on November 21, 2001 and December 7, 2001 related to BellSouth's implementation of Telephone Number Migration, or TN Migration.

I am filing two copies of this notice in the docket identified above, as required by Section 1.1206(b)(2) of the Commission's rules and request that you associate this notice with the record of that proceeding. Thank you.

Sincerely,

Kathleen B. Levitz
Kathleen B. Levitz

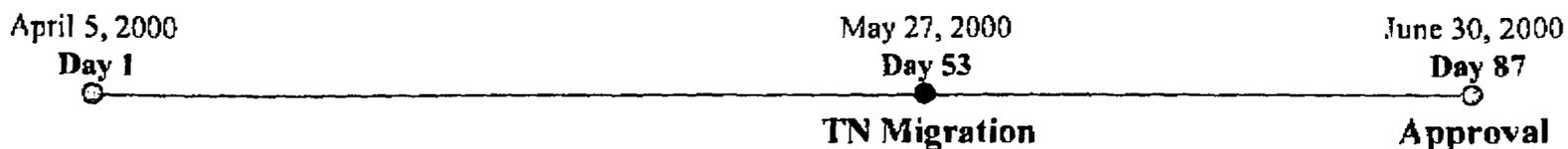
Attachments

cc: Jordan Goldstein
Kathy Farroba
Jessica Rosenworcel
Susan Pié
James Davis-Smith

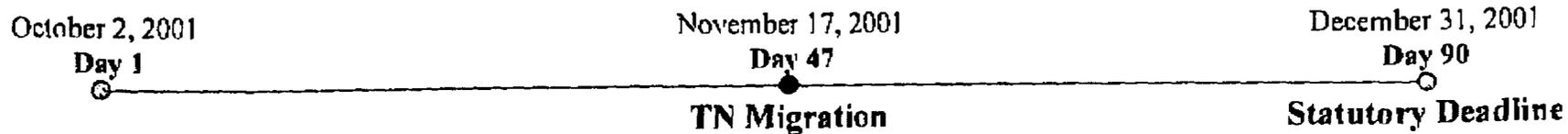
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Comparison of TN Migration Evidence

Southwestern Bell – Texas (Second Application)

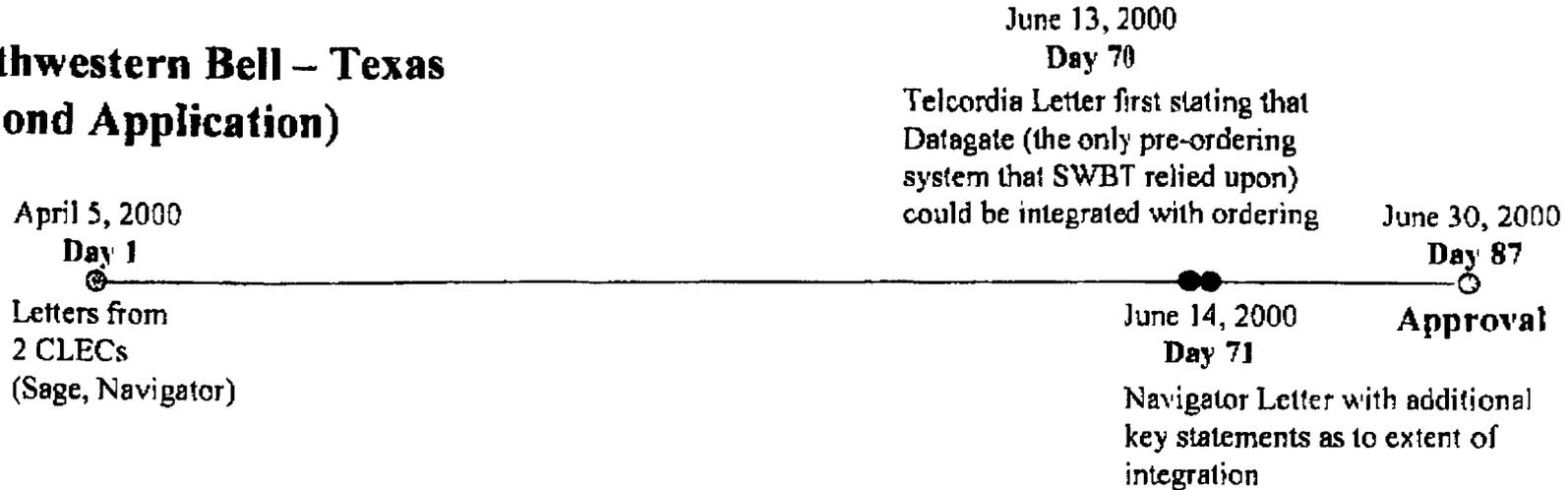


BellSouth – Georgia/Louisiana

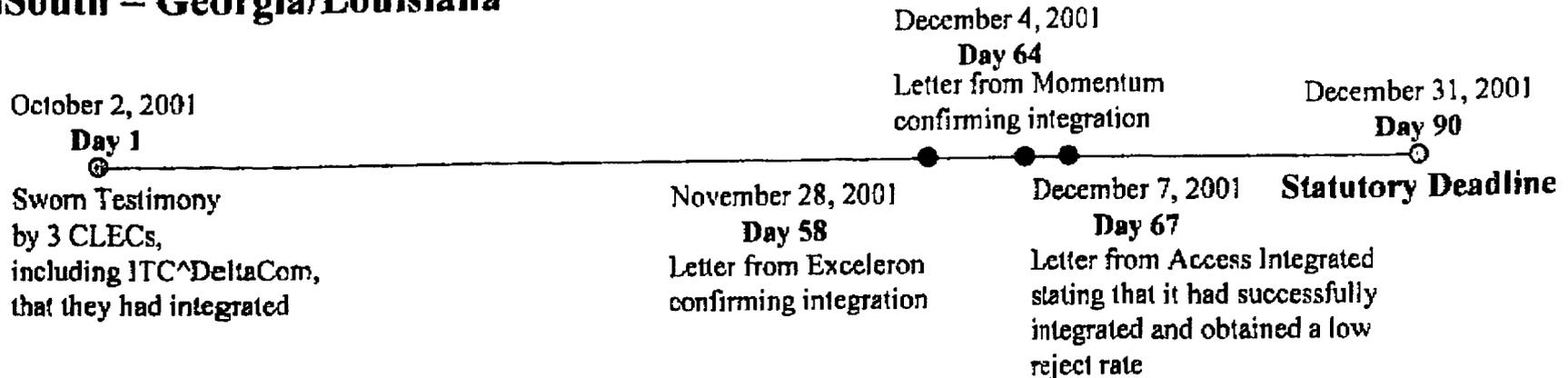


Comparison of CLEC Integration Evidence

Southwestern Bell – Texas (Second Application)



BellSouth – Georgia/Louisiana



**GA Third Party Test comparison to TX Telcordia Test
(Integration of Pre-Ordering and Ordering)**

	KPMG - GA Third Party Test	Telcordia - TX Third Party Test
	{Ordering and Provisioning Functional Test}	{Process Simulator}
1	Build a relational database containing tables for storing test bed CSR information (<i>Table V-1.2 Data Source for EDI Functional Test, Initial State CSRs pg V-A-4</i>) (<i>O&P_PreCSR.mdb</i>)	Build a relational database containing tables for Account, Service, Directory, and other detailed information such as USOCs.
2	Obtain Information from designated Pre-Order Responses (<i>Table V-1.1 Test Target Cross Reference, pg V-A-3</i>)	Develop Script to query SWBT for Customer information and Obtain Information from Customer Service Inquiry (CSI)
	Service Availability Query (<i>Table V-1.4 Integration Test Evaluation Criteria and Results</i>)	
	Appointment Availability Query (<i>Table V-1.4 Integration Test Evaluation Criteria and Results</i>)	
	Calculate Due Date Query (<i>Table V-1.4 Integration Test Evaluation Criteria and Results</i>)	
	Address Validation Query (<i>Table V-1.4 Integration Test Evaluation Criteria and Results</i>)	
3	Customer Service Records Obtain (test bed) CSRs via a direct database extract process and load to the Initial State CSR database (<i>O&P Domain Results V-4, Test Bed Information</i>) (<i>O&P_PreCSR.mdb</i>)	Parse the CSI response and populate the local database
4	Populate Integration Orders with information returned from designated pre-order queries (<i>V-13</i>) {and the CSR database}	Populate the LSR with the stored information in the orders systems (using a script)
5	Submit Integration Orders	
6	Receive Acknowledgement	
7	Receive FOC	
8	Receive CN	
9	Check Service Order Status	

Issue Comparison Against Approved Texas Application		
Issue	Texas	Georgia/Louisiana
Hot Cuts	Significant Concern Prompting Need to Re-file	Not an Issue – BellSouth Consistently Exceeds All Benchmarks
Access to DSL Loops	Significant Performance Concern Prompting Need to Re-file	Not an Issue – BellSouth Meets all Legal Requirements
Pricing	Concern Here and in Later Applications – SWBT altered, on interim basis, non-recurring charges for basic UNEs, including loops, ports, and cross-connects after initial filing (§§ 232, 237)	Not an Issue – DOJ never mentions it. Minor Concern about Daily Usage File Charges in LA Has Been Addressed
Integration	Significant Concern Prompting Need to Re-file – Commission ultimately relies on Navigator and Telcordia Letters filed 2 Weeks Before Approval (§§ 155, 159 & nn. 418 & 430); SWBT Made No Commitment to Parse	Greater Evidence Than in Texas – Sworn Testimony by CLEC that it Could Integrate Referenced In Application; Access Integrated Letter establishes unequivocally that BellSouth meets requirements; BellSouth has comparable or lower reject rates; Legal Obligation to Parse By Jan. 5

<p>Data Accuracy</p>	<p>CLECs Claim Significant Errors and Multiple Repostings (AT&T Comments at 76); Commission Relies on State Commissions' Continuing Review and Looks at issue only as part of Analysis of Particular Checklist Issues (§§ 57, 429)</p>	<p>Only One Metric Restated Since Application Filed; Repostings Nearly Disappeared in August and September Data; Even when they Occurred In Prior Months, Fewer than 1% of Reposted Figures have Affected Parity Findings</p>
<p>Line-Information Database – failure to update customer information for CLECs</p>	<p>Concern raised by DOJ and “shared” by the Commission – MCI alleged errors in almost half its orders (§ 190 & n. 522)</p>	<p>Not an issue</p>
<p>Service Order Accuracy</p>	<p>SWBT Did Not Even Have a Performance Metric; Much Higher (40%) Percentage of Orders Submitted Manually; Birch Telecom asserted significantly higher error rate than it claims here; Commission relied on existence of procedures to ensure accuracy and downstream metrics (§ 182)</p>	<p>Only Performance Issue in Entire Application; BellSouth Committed Resources To Create Procedures To Improve Results Before Filing Application; Less than 10% of Orders Submitted Manually; Metric Shows Aggregate Accuracy Now Above 95.5% in GA; Excellent Performance on metrics that Commission relied upon in Texas (trouble reports in 30 days and Invoice Accuracy)</p>

Change Control	Commission States 5-part Test for Compliance: (1) information clearly organized and readily accessible; (2) CLECs Have Substantial Input in Design and Operation of Process; (3) Procedure for Timely Resolution of Disputes; (4) Stable Testing Environment; (5) Efficacy of Documentation for Building an Electronic Gateway (§ 108). Also looks at pattern of compliance with plan. <i>Texas Order</i> Focused On Basic CLEC Concerns Such as Lack of Versioning (§ 115)	No Significant Issue as to Nearly All Aspects of the Test in the <i>Texas Order</i> ; BellSouth Has Implemented Versioning and Met all the <i>Texas Order</i> Requirements; Beyond that, It Has Also Implemented Same Number of CLEC Requests as BellSouth Requests and Spent Equal Amounts of Money; No CLEC Has Ever Escalated A Change Management Dispute to the State Comm'ns
Due-Date Calculation	Not an Issue	Minor Concern with "double FOCs" – Affects 2-4% of UNE-P and Resale Orders; Second FOC Provided Within A Matter of Hours