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December 19, 2001

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Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: **Ex Parte -- Joint Application by BellSouth Corporation, et al., for
Provision of In-Region, InterLATA Services in Georgia and
Louisiana, CC Docket No. 01-277**

Dear Ms. Salas:

The Competitive Telecommunications Association ("CompTel"), through its attorneys, submits this *ex parte* letter to respond to BellSouth's recent *ex parte* submissions addressing BellSouth's Operations Support Systems ("OSS").

Since BellSouth filed its application in this proceeding, numerous carriers have demonstrated that BellSouth does not provide nondiscriminatory access to its OSS due to, *inter alia*, incomplete integration, poor service order accuracy, low data accuracy, and a flawed change control process. *See, e.g.*, CompTel Comments at 4-9; *Ex Parte* of WorldCom (Dec. 14, 2001). BellSouth's OSS problems have a substantial adverse impact on a CLEC's ability to compete effectively in the marketplace. Despite the recent BellSouth *ex parte* filings purporting to discuss OSS "fixes" it has made, BellSouth's OSS remain discriminatory, and therefore, BellSouth's application must be denied.¹

¹ Additionally, as CompTel stated in its December 6, 2001, *ex parte*, each section 271 application, as originally filed, must include "all of the information on which the applicant would have the Commission rely in making its findings."

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Magalie Roman Salas
Secretary
December 19, 2001
Page Two

First, BellSouth fails to demonstrate that it has sufficiently “integrated” its pre-ordering and ordering systems. As one example, BellSouth’s OSS do not provide CLECs with the functionality necessary to parse customer service records (“CSRs”). ITC^DeltaCom developed its own proprietary software that enables it to “parse” pre-order information into English for only certain types of orders (certain resale and UNE-P) on a limited but integrated basis using BellSouth’s TAG (CORBA) interface.² ITC^DeltaCom, however, does not enjoy the same level of functionality through its proprietary, “makeshift,” interface as that enjoyed by a BellSouth retail representative. For example, in contrast to BellSouth retail personnel, ITC^DeltaCom cannot check the status of pending service orders through this interface. *See Affidavit of Mary Conquest* ¶ 2 (“*Affidavit*”). It is notable, however, that this feature functionality, while never available as part of an integrated application-to-application interface, was at least *available* at one point through the BellSouth LENS interface. This feature has since been removed,³ and is no longer available through electronic interfaces to competitive carriers.

Second, in contrast to BellSouth’s statement, Birch Telecom is not the only CLEC that has encountered significant problems with BellSouth’s service order accuracy. As the attached affidavit demonstrates, CompTel member ITC^DeltaCom continues to experience BellSouth initiated changes to ITC^DeltaCom’s electronically submitted flow-through orders, which result in order errors, and ultimately, customer dissatisfaction. *See Affidavit* ¶ 8; *see also WorldCom Ex Parte* at 5-6.

Third, it is now abundantly clear that the Commission simply cannot rely on BellSouth’s data. Numerous carriers in this proceeding have illustrated significant deficiencies with BellSouth’s data. In some situations, BellSouth fails to include all relevant data in its reports, and, in other situations, as WorldCom explains, the reports do not accurately represent the underlying situation. *See Affidavit* at ¶ 9; *WorldCom Ex Parte* at 10. Further, BellSouth’s change control process is flawed, because *inter alia*, BellSouth does not adequately prioritize Change Requests. *See Affidavit* at ¶ 10-11.

Finally, BellSouth should not be allowed to corrupt the procedural integrity of this proceeding through its systematic filing of lengthy, evidentiary *ex parte* submissions that are calculated to avoid critical scrutiny by the public and to unfairly transfer the burden BellSouth should have rightly overcome in its initial application to the public and Commission staff at the end stages of the statutory review process. For this reason, CompTel emphatically supports both Motions to Strike filed by CompTel Member Covad Communications on December 6, and December 18, respectively.

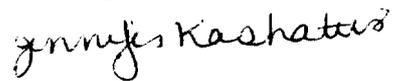
² *See Ex Parte of CompTel* on behalf of ITC^DeltaCom (Dec. 6, 2001) (explaining ITC^DeltaCom’s proprietary software and its limitations).

³ *See Affidavit* ¶ 7.

Magalie Roman Salas
Secretary
December 19, 2001
Page Three

For the foregoing reasons, the Commission should deny BellSouth's application for authority to provide in-region, interLATA services in Georgia and Louisiana.

Sincerely,



Robert J. Aamo
Jennifer M. Kashatus

Counsel for the Competitive Telecommunications
Association

Attachment

cc: Kathy Farroba
Renee Crittendon
Jessica Rosenworcel

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Application of BellSouth Corporation)
To Provide In-Region, InterLATA) Docket No. 01-277
Long Distance Services Under Section)
271 of the Telecommunications Act of 1996)

**AFFIDAVIT OF MARY CONQUEST
ON BEHALF OF ITC^DELTACOM COMMUNICATIONS, INC.
D/B/A ITC^DELTACOM**

I, Mary Conquest, being of lawful age and duly sworn upon my oath, depose and state:

INTRODUCTION

My name is Mary Conquest. I am employed by ITC^DeltaCom Communications, Inc., ("ITC^DeltaCom"), and my business address is 600 Boulevard South, Huntsville, Alabama 35802. I am the same Mary Conquest who provided an affidavit in support of the initial comments of the Competitive Telecommunications Association ("CompTel") filed in this proceeding.

SUMMARY

I am responding to certain statements made by BellSouth in its December 10th *ex parte* filing with the Commission. Specifically, I address the following areas

- Intergration

- Service Order Accuracy
- Data Accuracy
- Change Control Process

I. INTEGRATION

1. By using my knowledge and experience with the BellSouth systems, I helped ITC^DeltaCom to develop its own proprietary software that enables ITC^DeltaCom to “parse” pre-order information into English and to generate certain resale and UNE-P orders on a limited but integrated basis using BellSouth’s TAG (CORBA) interface.
2. However, ITC^DeltaCom does not enjoy the same level of functionality through its proprietary, “makeshift,” interface as that enjoyed by a BellSouth retail representative. For example, as I stated in an earlier affidavit filed with this Commission, ITC^DeltaCom cannot check the status of pending service orders through this interface. BellSouth retail personnel have access to OSS systems which indicate pending activity against an account.
3. Further, we have not been able to adapt this software to be of use for facilities or complex products (*i.e.* Centrex) orders.
4. On the other hand, ILECs, like SBC Communications, do support an EDI preorder function (*i.e.* Interactive Agent), but BellSouth does not. Additionally, because the BellSouth system does not deliver more than 55 screens of data, this tool cannot be used for large customers.

5. While I did use BellSouth's business rules and API guide, I relied heavily on my work experience of 30 years at BellSouth in planning and developing this software.

6. Currently, BellSouth's OSS do not provide CLECs with the ability to parse customer service records ("CSRs"). Although BellSouth indicates that it plans to deliver a parsed CSR no later than January 5, 2002, it is questionable whether BellSouth will be able to parse all sections in a manner which would allow CLECs to process a request.

7. The indicator "PSO" pending service order is used to advise activity is scheduled to occur. Competing carriers, such as ITC^DeltaCom, however, do not have access to this same indicator through any of the OSS interfaces. ITC^DeltaCom filed with the BellSouth Change Control group a request (CR 0127) on August 4, 2000, requesting this data to be added to the TAG pre-order information. Prior to bell's implementation of ENCORE Release 9.4 on July 28, 2001, LENS was able to present this flag. Currently, the LENS defect is scheduled to have the functionality returned on January 5, 2002, in Release 10.3. ITC^DeltaCom's request to have this information added to TAG, which is prioritized, however, still awaits release assignment. The inability to know orders are pending against the account costs the CLEC time in clarification, error resolution and customer dissatisfaction.

II. SERVICE ORDER ACCURACY

8. ITC^DeltaCom continues to experience BellSouth initiated changes to ITC^DeltaCom's electronically submitted flow-through orders. Various USOCs are improperly added and certain features (*l.e.* hunting) are improperly removed. This impacts ITC^DeltaCom's credibility with its customers, because customer services are

improperly provisioned implying that the CLEC caused the errors. This results in customer dissatisfaction, and further, BellSouth delays in provisioning the orders as requested.

III. DATA ACCURACY

9. BellSouth admits that its data has contained errors, which is consistent with my testimony before the Alabama Public Service Commission in Docket 25835. Specifically, I audited the Alabama Performance Measurement and Analysis Platform (PMAP) data for the measure of Maintenance Average Duration – UNE Loops reported data for February of 2001 for ITC^DeltaCom specific data, which BellSouth provides via its PMAP website. I found that the report was inaccurate in that it did not capture all trouble tickets issued in that month. I did not attempt to examine all of BellSouth's measurement data nor all of the data contained in each measure. I simply reviewed a sample to see if ITC^DeltaCom's records matched BellSouth's. As an example, trouble tickets 10137720 and 10138311 were entered into TAFI but did not appear in BellSouth's data provided via PMAP for Alabama for the month of February. Therefore, I examined the raw data supplied by BellSouth to make a comparison to ITC^DeltaCom data. In addition, these tickets were not included in the Customer Trouble Report Rate – UNE loops AL. ITC^DeltaCom is concerned that if the data to ITC^DeltaCom is flawed that the overall Service Quality Measurement data for all CLECs is flawed. In fact, as a result of my research, ITC^DeltaCom has requested to view BellSouth's retail analog data to ascertain the level of accuracy of BellSouth's reporting.

IV. THE CHANGE CONTROL PROCESS IS FLAWED

10. Previously, I filed an affidavit with this Commission regarding BellSouth's process for prioritizing Change Requests (CR's) and the slotting of CR's for a Release Package as lacking control and definition. At that time, BellSouth refused to disclose how a release is packaged. Minor versus Major release definitions are loosely applied. An example is the Parsed CSR, which AT&T requested on 8-12-99. The CLEC community agreed upon requirements in November 2000. This is a large programming effort for CLECs, yet it has been assigned a Minor release to be deployed 1-05-02. Also, it should be noted the delivery does not contain all the requirements agreed upon by BellSouth and the CLEC community.

11. Today, BellSouth still refuses to disclose the release capacity to allow prioritization of work. Florida Observation 88 discloses that BellSouth will apply 20% of the capacity to CLEC changes and another 20% to "CLEC regulatory mandates." Currently, defect correction exceeds the 40% referenced above. In other words, approximately half of BellSouth's efforts are spent correcting defects.

CONCLUSION

I strongly recommend on behalf of ITC^DeltaCom, that BellSouth be required to provide to the CLEC's a metric which clearly establishes programming hours available for Major and Minor Releases. And I further recommend that BellSouth be penalized for taking

functionality away from the CLECs, which was retained by their own retail organizations.

I declare under the penalty of perjury that the facts stated herein are true and correct, to the best of my knowledge, information and belief.

Mary Conquest

Mary Conquest
IT Development

SWORN TO and subscribed
before me this 19th day
of December, 2001.

Nautil S. Edwards

Notary Public

My Commission Expires:

