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## Georgia Public Service Commission

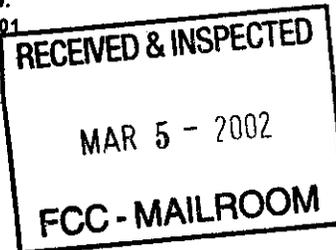
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March 4, 2002

William F. Canton, Acting Commission Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St., SW, CY-B402  
Washington, DC 20554



**RE: Joint Application by BellSouth for Provision of In-Region, InterLATA  
Services In Georgia and Louisiana; CC Docket No. 02-35**

Dear Mr. Canton:

Enclosed are an original and four (4) copies of the Georgia Public Service Commission's Consultative Report. The Consultative Report recommends that BellSouth Telecommunications, Inc be granted authorization under Section 271 of the Telecommunications Act to provide in-region interLATA service in Georgia.

Respectfully,

Leon Bowles  
Director of Telecommunications

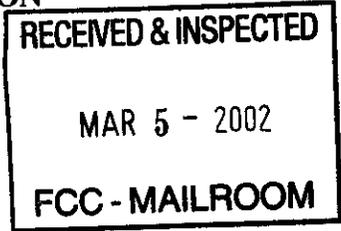
cc: Department of Justice, c/o Luin P. Fitch  
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Before the

**FEDERAL COMMUNICATIONS COMMISSION**



In the Matter of

Joint Application by BellSouth Telecommunications, :  
Inc., et al., for Authorization to Provide :  
In-Region, InterLATA Service in the states of :  
Georgia and Louisiana pursuant to Section 271 :  
of the Telecommunications Act :

CC Docket No.02-35

**COMMENTS OF THE  
GEORGIA PUBLIC SERVICE COMMISSION**

David Burgess, Chairman  
Lauren McDonald, Commissioner  
Stan Wise, Commissioner  
Robert Baker, Commissioner  
Bob Durden, Commissioner

Georgia Public Service Commission  
244 Washington Street  
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## SUMMARY

In its Comments and Reply Comments filed with the Federal Communications Commission (“FCC”) in CC Docket No. 01-277, the Georgia Public Service Commission (“Commission”) advised the FCC that BellSouth Telecommunications, Inc. (“BellSouth”) had met the requirements of Section 271 of the 1996 Federal Telecommunications Act (“Federal Act”) in Georgia. The Commission’s conclusions were based on an extensive review of the evidence and were reached only after more than five years of proceedings aimed at opening the Georgia local market to competition. The Commission stands by its conclusions, notwithstanding concerns expressed by the FCC Staff and the United States Department of Justice (“DOJ”) about BellSouth’s application for 271 authority.

In considering BellSouth’s supplemental application, it is important to note that BellSouth has implemented several enhancements to its Operational Support Systems (“OSS”), many of which were ordered by this Commission. These enhancements have further facilitated competitive entry into the local market and directly resolve concerns articulated by the DOJ in its November 6, 2001 Evaluation in CC Docket 01-277. BellSouth also has demonstrated that it has addressed OSS, performance data integrity, change management, and related issues raised by the FCC Staff in connection with BellSouth’s application for Section 271 relief in Georgia and Louisiana.<sup>1</sup> This demonstration should establish that BellSouth has satisfied the requirements of Section 271 and FCC precedents.

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<sup>1</sup> See Statement of FCC Chairman Michael Powell on Withdrawal of BellSouth 271 Application (Dec. 20, 2001); Letter from James G. Harralson to Magalie Salas, CC Docket No. 01-277 (Dec. 20, 2001).

Against this backdrop is the fact that competition in the local market in Georgia continues to flourish. Notwithstanding the recent economic slowdown, CLECs were providing approximately 894,000 local exchange service lines to Georgia business and residential customers as of December 2001. This figure represents an 11% increase since June 2001 (when approximately 805,000 CLEC local exchange lines were in service) and an increase of more than 17% since March 2001 (when approximately 762,000 CLEC local exchange lines were in service).<sup>2</sup>

Even more dramatic has been the growth in CLECs' use of unbundled loop-port combinations ("UNE-P") to provide local exchange service in Georgia. As of June 2001, BellSouth provided CLECs with 112,700 UNE-Ps in the State; this figure more than doubled to 227,700 UNE-Ps in Georgia as of December 2001. Similarly, during this same period of time, the number of unbundled local loops in service in Georgia grew from 84,100 to 88,700, an increase of more than 5%.<sup>3</sup>

The record is clear that CLECs are able to compete in the Georgia local market using unbundled network elements, as well as the other two modes of competitive entry: resale and facilities-based competition. In this Commission's view, the depth and breadth of competitive entry in Georgia is compelling evidence that the local market is irreversibly open to competition.

Equally important is this Commission's commitment to ensuring the continued openness of the local market in Georgia. Since finding that BellSouth satisfied the requirements of Section 271 in October 2001, the Commission has maintained an active

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<sup>2</sup> Docket No. 5778-U, Affidavits of BellSouth Telecommunications, Inc.

<sup>3</sup> Docket No. 5778-U, Affidavits of BellSouth Telecommunications, Inc.

role in making certain that BellSouth continues to comply with its obligations under federal and state law. The Commission has recently overseen nine days of workshops and industry conferences as part of its ongoing review of BellSouth's existing performance measurements and enforcement plan and currently is engaged in a comprehensive evaluation of the Change Management process. The Commission also is the midst of an ongoing docket in which the adoption of industry-wide guidelines to govern the marketing of telecommunications services and the migration of customers from carrier to carrier are being considered. These proceedings and this Commission's continued active involvement in issues affecting local competition should give the FCC more than adequate assurances that local competition will remain a reality in Georgia. Accordingly, BellSouth's application for interLATA authority in Georgia should be approved.

**I. BELLSOUTH'S COMPLIANCE WITH THE REQUIREMENTS OF SECTION 271 AND FCC PRECEDENTS**

**A. Nondiscriminatory Access to OSS**

Both the FCC Staff and the DOJ expressed concern about the adequacy of BellSouth's OSS. In the Commission's view, BellSouth has demonstrated that its systems satisfy the requirements of Section 271 and FCC precedents. Specifically, BellSouth has shown that: (1) it has deployed the necessary systems and personnel to provide sufficient access to each of the necessary OSS functions and is adequately assisting CLECs to understand how to implement and use all of the OSS functions available to them; and (2) the OSS functions BellSouth has deployed are "operationally

ready,” as a practical matter. Memorandum Opinion and Order, *Application by Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York*, 15 FCC Rcd. 3953, ¶ 87 (Dec. 22, 1999) (“*Bell Atlantic-NY Order*”); Memorandum Opinion and Order, *In re: Application of BellSouth Corporation, et al., for the Provision of In-Region, InterLATA Services in Louisiana*, CC Docket No. 98-121, FCC 98-271, ¶ 85 (Oct. 13, 1998).

BellSouth’s showing that it is providing nondiscriminatory access to its OSS is underscored by the actual commercial usage of these systems, which the FCC has repeatedly stated in its prior 271 orders is the most probative evidence of nondiscriminatory access. Memorandum Opinion and Order, *Application by SBC Communications, Inc., et al., Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Texas*, 15 FCC Rcd 18354, ¶ 103 (2000) (“*SWBT-TX Order*”). For example, between June and December 2001, CLECs used BellSouth’s OSS to increase by more than 100% the number of UNE-Ps in service in Georgia and increase by more than 5% the number of unbundled local loops in service. Such growth could not have occurred unless BellSouth were providing sufficient access to each of the necessary OSS functions and unless such functions were “operationally ready,” as a practical matter.<sup>4</sup>

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<sup>4</sup> In its Evaluation in Docket No. 01-277, the DOJ concluded that the local market in Georgia is “fully and irreversibly open to competition for resale and facilities-based competitors,” but, according to the DOJ, there were “serious questions” “regarding the extent to which BellSouth’s OSS are adequate to support entry by UNE competitors,” particularly those using the UNE-P or UNE loops. *Evaluation of the United States Department of Justice*, at 38. It is not readily apparent how BellSouth’s OSS can be adequate to support resale and facilities-based competitors, but be inadequate for UNE competitors, given that the same systems are involved and given that the level of UNE competition in Georgia exceeds that of resale competition. However, with the explosive growth in the number of UNE-P arrangements in service in Georgia, particularly those being used to serve residential customers in the State, the level of competitive entry via unbundled network elements should no longer be a concern.

This is not to say that BellSouth's OSS are beyond improvement. On the contrary, in its October 2001 Order the Commission found that BellSouth had satisfied the requirements of Section 271, but nonetheless ordered BellSouth to implement certain enhancements to its OSS. As the Commission noted, its "finding that BellSouth has met the requirements does not mean that providing the proper incentives for continued improvements in BellSouth's performance is no longer a goal of this Commission." See Order, *In re: Consideration of BellSouth Telecommunications, Inc.'s Entry Into InterLATA Services Pursuant to Section 271 of the Telecommunications Act of 1996*, Docket 6863, et al., at 2 (Oct. 19, 2001) ("271 Order"). In response to a petition filed by WorldCom, Inc. ("WorldCom") on January 18, 2002, the Commission directed the parties to provide information concerning the implementation of these OSS enhancements, which is discussed in greater detail below.<sup>5</sup>

(1) **Migration by Telephone Number and Name**

In its 271 Order, the Commission required that BellSouth implement "migration by Telephone Number and name" by November 3, 2001 (hereinafter referred to as "TN migration"). Allowing CLECs to place a UNE-P order without having to enter a customer's address will facilitate mass-market competitive entry by reducing address-

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<sup>5</sup> WorldCom's petition requested that the Commission convene "expedited workshops or other proceedings" to address OSS, change management and data integrity issues. In response to WorldCom's petition, the Commission Staff directed the parties to file specific information concerning certain issues raised in WorldCom's petition in order to assist the Staff and the Commission in determining what future proceedings should be held, if any. The following parties responded to the Staff's direction: BellSouth; WorldCom; AT&T Communications of the Southern States, L.L.C., Teleport Communications Atlanta, L.L.C., and AT&T Broadband Phone of Georgia, L.L.C. (collectively "AT&T"); NewSouth Communications Corp. ("NewSouth"); e.spire Communications, Inc. ("e.spire"); ITC^DeltaCom Communications, Inc. ("DeltaCom"); Time Warner Telecom of Georgia, L.P. ("Time Warner"); Sprint Communications Co., L.P. ("Sprint"); and ICG Telecom Group, Inc. ("ICG"). Time Warner, Sprint, nor ICG provided any substantive information in their responses, and, to the extent relevant, the information furnished by the other parties is addressed in the Commission's Comments.

related errors. This view is shared by the DOJ, which expressed concern in its initial evaluation about a CLEC's inability to order UNE-P from BellSouth without having to use the customer's address. *Evaluation of the United States Department of Justice*, at 23-25.

The DOJ's concern has since been remedied. On November 3, 2001, BellSouth implemented Release 10.2, as a part of which the edits that had required the customer's address field to be populated on a UNE-P order were removed. As a result, a CLEC seeking to migrate a retail customer to UNE-P can now submit a Local Service Request ("LSR") without completing the customer address field. BellSouth's systems will validate the customer's telephone number as it appears on the LSR, which, according to BellSouth, is the same manner in which other incumbents handle UNE-P migration. *Affidavit of William Stacy*, Docket 6863-U, at ¶4 (Feb. 25, 2002).

The Commission recognizes that a problem existed with Release 10.2 that adversely affected CLECs' ability to utilize the TN migration functionality for approximately two weeks. Specifically, during testing of Release 10.2, BellSouth determined that LSRs would not process correctly using this new functionality when BellSouth's Regional Street Address Guide ("RSAG") associated two or more addresses with the telephone number appearing on the LSR. Because BellSouth estimated this situation would occur with approximately 30% of LSRs, which would cause the associated LSR to be rejected or auto clarified back to the CLEC with a request for a valid address, BellSouth issued a Carrier Notification Letter on November 2, 2001, encouraging CLECs to continue to populate the customer address field on the LSR until this situation was remedied. BellSouth explained that it would implement a fix, no later

than November 17, 2001, that would allow the processing of LSRs when a working address as well as one or more non-working addresses were reflected in RSAG. *Affidavit of William Stacy*, Docket 6863-U, at ¶5 (Feb. 25, 2002).

During the weekend of November 17, 2001, BellSouth implemented a release that corrected this problem. As a result, CLECs have been able to make full use of the TN migration functionality since November 17, 2001, and the evidence in the record indicates that CLECs are successfully doing so. According to BellSouth, there were over 325,000 UNE-P requests submitted utilizing the new functionality region-wide between December 1, 2001 and January 31, 2002. Furthermore, BellSouth notes that region-wide numerous CLECs submitted more than 2,000 orders each during this time using TN migration, almost all of which did so without complaint. *Affidavit of William Stacy*, Docket 6863-U, at ¶¶ 6 & 19 (Feb. 25, 2002).<sup>6</sup>

The only CLEC to complain to the Commission about the manner in which BellSouth has implemented TN migration is WorldCom. First, WorldCom complains that “BellSouth was not able to implement the functionality ordered by the Commission, but instead implemented migration by telephone number and street address number.” *WorldCom Petition*, at 7. However, the intent of the Commission’s *271 Order* was to reduce reject rates for UNE-P migration orders. The Commission’s *271 Order* did it prohibit the implementation of any other reasonable measures (such as the validation of the street address number) to ensure that end user customers are migrated with minimal problems.

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<sup>6</sup> BellSouth’s deployment of TN migration did not meet the Commission’s November 3, 2001 deadline and was 14 days late. As a result, BellSouth was fined \$10,000 per day and paid \$140,000 to the State of Georgia, consistent with the Commission’s *271 Order*.

Notwithstanding WorldCom's complaints about the manner in which BellSouth implemented TN migration, the record reflects that this functionality was implemented consistent with the wishes of representatives of the CLEC members of the Change Control Process ("CCP"). Specifically, as BellSouth has explained, there were two different pending change requests concerning TN migration, one submitted by WorldCom that would have involved validating the customer's name in order to ensure that the correct customer record is being processed, while the other was submitted by AT&T that involved validating the house number on the LSR. Because implementing WorldCom's approach would actually cause reject rates to increase, BellSouth recommended that AT&T's proposal to validate the house number be adopted, and the members of the CCP agreed. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 7 (Feb. 25, 2002). The Commission finds that BellSouth acted appropriately in implementing TN migration consistent with the desires of the CCP.

Furthermore, as noted by the DOJ, the purpose of TN migration is to cause reject rates generally and address-related errors specifically to decrease. This is precisely what has happened as the overall reject rate for UNE-P migration requests dropped over 35% from October 2001 to January 2002. In addition, the address related errors for these same requests have been reduced by over 60% during this same time period. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 20 (Feb. 25, 2002), Exhibits WNS-6 & WNS-7. Even WorldCom acknowledges that its "internally calculated rejected rate" decreased approximately 10 percentage points after the implementation of TN migration. *Affidavit of Sherry Lichtenberg*, Docket 6863-U, ¶ 5 (Feb. 25, 2002). It is not clear how BellSouth

can be held in violation of the Commission's 271 Order when the results the Commission intended to achieve have been realized.<sup>7</sup>

Second, WorldCom complains about a "significant problem" with TN migration, which, according to WorldCom, occurs when the street address number is verified against both RSAG and the Customer Service Record ("CSR"); if there is a mismatch between the two databases, the LSR is rejected. *WorldCom Petition*, at 7. However, WorldCom has not quantified the significance of this problem, nor has any other CLEC. BellSouth's data indicates that a very small percentage of WorldCom's orders were rejected due to checking the street number on the LSR against the CSR. Furthermore, BellSouth removed the secondary check of the street number on the LSR against the CSR with Release 10.3.1 on February 2, 2002, which WorldCom acknowledges "has eliminated the rejections caused by the data mismatch." *Affidavit of William Stacy*, Docket 6863-U, at ¶ 12 (Feb. 25, 2002); *Affidavit of Sherry Lichtenberg*, Docket 6863-U, ¶ 5 (Feb. 25, 2002). Consequently, the problem with TN migration about which WorldCom has complained has since been resolved.<sup>8</sup>

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<sup>7</sup> In its response to the Commission Staff, e.spire indicated that it had submitted approximately 600 LSRs between November 20, 2001 and February 20, 2001 using TN migration functionality, which resulted in 813 rejects and clarifications. *Affidavit of Renee Terry*, Docket 6863-U, ¶ 3 (Feb. 25, 2002). However, e.spire was unable to provide any information concerning the reasons for the rejects and clarifications, which makes it impossible for the Commission to draw any conclusions from e.spire's experiences with TN migration.

<sup>8</sup> Both WorldCom and NewSouth have expressed general concern about mismatches with data in BellSouth's databases. *Affidavit of Sherry Lichtenberg*, Docket 6863-U, ¶¶ 7-8 (Feb. 25, 2002) ("MCI is concerned that because BellSouth has not reconciled the databases, CLECs may experience downstream problems when the information they submit on the LSR does not match the customer's CSR"); *Affidavit of John Fury*, Docket 6863-U, ¶ 4 (Feb. 25, 2002). However, neither WorldCom nor NewSouth has quantified the magnitude of problems associated with database conflicts, and BellSouth has indicated that it has a process in place to resolve such conflicts that was communicated to the CCP in November 2001. *Affidavit of William Stacy*, Docket 6863-U, ¶ 18 (Feb. 25, 2002).

WorldCom also identifies two additional problems with TN migration, one involving WorldCom's continued receipt of invalid address rejects on LSRs that fall out for manual processing and the other involving invalid electronic clarifications associated with directory listings. *Affidavit of Sherry Lichtenberg*, Docket 6863-U, ¶¶ 9-10 (Feb. 25, 2002). However, according to WorldCom, such issues only affected 47 of the approximately 16,000 LSRs that WorldCom sent to BellSouth between January 19, 2002 and February 15, 2002. *Id.* ¶ 6 & 9-10. Thus, these issues do not appear to constitute systemic problems based on WorldCom's own data. Additionally, the Commission, BellSouth, and WorldCom will continue to work together to resolve these remaining issues.

The Commission finds that TN migration, although two weeks untimely, has been "implemented in an adequate manner" consistent with the Commission's 271 Order. *See Evaluation of the United States Department of Justice*, at 25. In fact, BellSouth has since gone beyond those requirements by expanding the CLECs' ability to utilize TN migration to include resale (non-complex plus ISDN-BRI, and PBX) and loops (excluding xDSL). *Affidavit of William Stacy*, Docket 6863-U, at ¶ 22 (Feb. 25, 2002). Because CLECs are able to order the UNE-P as well as other products and services from BellSouth without using the customer's address, this "important precondition for competitive entry to occur on a mass-market basis" has now been met. *Evaluation of the United States Department of Justice*, at 23.<sup>9</sup>

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<sup>9</sup> While the Commission does not disagree with the DOJ's views concerning the importance of TN migration to mass-market competitive entry, TN migration has not previously been a requirement of Section 271. In fact, the FCC approved Southwestern Bell Telephone's ("SWBT") application for Section 271 authority in Texas, even though SWBT had not implemented TN migration at the time it had applied for such authority. *See SWBT-Texas Order* ¶ 178 (discussing TN migration enhancement implemented by SWBT in May 2000, after SWBT's April 5, 2000 application for Section 271 authority in Texas).

(2) **Integration**

In its initial comments, this Commission found that BellSouth had demonstrated that CLECs were able to integrate BellSouth's pre-ordering and ordering interfaces consistent with applicable FCC requirements. Specifically, BellSouth established that CLECs were able to transfer pre-ordering information electronically into the CLEC's own back office systems and back into BellSouth's ordering interface. There was evidence that CLECs had successfully done so, and no CLEC contended that it had been unable to integrate BellSouth's pre-ordering and ordering systems.

Although not an issue for the DOJ, the FCC Staff expressed concern about the "timeliness of evidence demonstrating that competing carriers could integrate or have successfully integrated pre-ordering and ordering functions."<sup>10</sup> The Commission believes that this concern has been adequately addressed.

First, as part of its supplemental application for 271 authority in Georgia, BellSouth has provided additional evidence that CLECs have been able to automatically populate information supplied by BellSouth's pre-ordering systems onto an LSR that will not be rejected by BellSouth's ordering systems. *See SWBT-TX Order*, ¶ 152. This evidence includes: (1) letters from four parties confirming their ability to integrate BellSouth's pre-ordering and ordering functions while experiencing relatively low reject rates; and (2) letters from KPMG Consulting, Inc. ("KCI") confirming that, as part of the Georgia third-party test, KCI successfully tested a CLEC's ability to integrate BellSouth's pre-ordering and ordering functions. *See Joint Supplemental Affidavit of William Stacy, Alphonso Varner, and Ken Ainsworth*, CC Docket No. 02-35, ¶¶ 21-35.

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<sup>10</sup> Letter from James G. Harralson to Magalie Salas, CC Docket No. 01-277 (Dec. 20, 2001).

Second, BellSouth has implemented the functionality by which the CSR is parsed on BellSouth's side of the interface. BellSouth implemented this functionality consistent with the requirements of this Commission's *271 Order*, which directed BellSouth to provide "fully fielded parsed CSRs by January 5, 2002."

The Commission finds that the parsed CSR functionality implemented by BellSouth works in the manner intended. BellSouth has produced evidence that three vendors have tested the parsed CSR capability and have verified that the capability functions as specified. Of particular significance is the testing conducted by Telcordia, which tested the integrated pre-ordering and ordering capabilities of TAG in the CAVE test environment, including testing the parsed CSR query. Telcordia developed a "pseudo CLEC" test to show that a CLEC using TAG can submit a CSR query to BellSouth, and integrate the data from the parsed CSR with the ordering process. BellSouth has submitted a report prepared by Telcordia that describes the successful integration of pre-ordering and ordering functionality, including the parsing of the full CSR. According to BellSouth, the products tested by Telcordia account for over 79% of all activity received during a typical month (January, 2002), and for 99% of all UNE-P migration-as-specified order types. *Affidavit of William Stacy*, Docket 6863-U, at ¶¶ 23-26 (Feb. 25, 2002).<sup>11</sup>

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<sup>11</sup> In testing the parsed CSR functionality, the vendors noted possible minor deficiencies in BellSouth's documentation. In those instances where the vendor identified a discrepancy in the documentation, BellSouth has since revised the documentation to avoid future problems. Specifically, in response to documentation issues identified by Telcordia, BellSouth posted a new version of the BellSouth Business Rules – Local Ordering on November 9, 2001 (version 9R), which corrected a discrepancy related to the port type field, and posted version 7.7.1.3 of the TAG API Guide on February 5, 2002, which corrected a discrepancy regarding the Company Code. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 29 (Feb. 25, 2002).

BellSouth also has submitted evidence of successful testing of the parsed CSR by Birch Telecom. Such testing occurred as part of Birch's test of its upgraded TAG interface, during which Birch's representative successfully pulled parsed CSRs for both residential and business accounts. Birch's CSR Test Summary indicates that the testing of each test scenario was successful. *Id.* at ¶30.

The evidence submitted by BellSouth concerning the parsed CSR functionality stands in contrast to that offered by CLECs, particularly WorldCom and AT&T, both of which have repeatedly emphasized their need for this functionality. Although the Commission Staff directed the parties to "provide all testing results or commercial usage concerning parsed CSR functionality," the Commission did not receive any responsive information from either WorldCom or AT&T on this issue. WorldCom indicates that it "has not yet tested" the parsed CSR functionality, and AT&T apparently has not devoted the "resources to developing the necessary parallel software" to make use of this functionality. *Affidavit of Sherry Lichtenberg*, Docket 6863-U, at ¶ 13 (Feb. 25, 2002); *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 7 (Feb. 25, 2002).

The Commission is not persuaded by AT&T's claim that BellSouth's implementation of parsed CSR functionality "has not been stable" because there were certain defects associated with the release. *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 5 (Feb. 25, 2002). It is not unusual for any computer software release to have defects, and BellSouth notes that all of the 23 defects identified were "low impact," which is defined under the CCP plan as one that causes a CLEC inconvenience or annoyance. According to BellSouth, as of February 4, 2002, 16 of the

23 outstanding defects had been corrected, and, for the remaining seven minor outstanding defects, workarounds have been published through the CCP. BellSouth indicates that all seven of these remaining defects will be resolved in its March 24, 2002 Release. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 31 (Feb. 25, 2002).<sup>12</sup>

Equally unpersuasive is AT&T's claim that the minor defects associated with CSR parsing have prevented the testing or use of this functionality. *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 7 (Feb. 25, 2002). There is simply no evidence to support this claim. It also is challenged by the fact that Telcordia and two other vendors as well as Birch Telecom have been able to test successfully the parsed CSR functionality, notwithstanding the existence of several minor defects.

Although no CLEC questions that BellSouth has made available the parsed CSR functionality, AT&T complains that BellSouth has failed to provide in parsed format "[a]t least eleven fields that CLECs have requested and for which there is data present in the CSR ...." *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 8 (Feb. 25, 2002). As a preliminary matter, the Commission notes that, according to BellSouth, it has successfully parsed and returns eighty-seven (87) of the one hundred and six (106) fields requested by the CLECs. By contrast, Verizon currently parses and returns only 74 fields. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 41 (Feb. 25, 2002).

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<sup>12</sup> AT&T claims that the workarounds implemented by BellSouth "place a significant burden on CLECs," although AT&T does not adequately explain how this is so. *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 5 (Feb. 25, 2002). That a "workaround" may involve "manual action," as AT&T contends, is hardly unusual or burdensome in and of itself, and AT&T has not provided any information about the frequency with which these "workarounds" are encountered. The Commission also finds it significant that no other CLEC has complained to the Commission about these workarounds.

Of the 11 fields identified by AT&T that BellSouth does not parse, AT&T has presented evidence indicating that, for at least some of these fields, other Bell Operating Companies (“BOCs”) do not provide these fields in parsed format either. *Joint Affidavit of Jay Bradbury & Bernadette Seigler*, Docket 6863-U, at ¶ 8 (Feb. 25, 2002). These include: fields TOS (Type of Service), HNTYP (Hunting Type), HTSEQ (Hunting Sequence), SGNL (Signaling), which are not provided in parsed format by SBC (formerly Ameritech); and fields LST (Local Service Termination), SGNL (Signaling), TOA (Type of Account), and LNPL (Listed Name Placement), which are not provided in parsed format by Verizon. Only four of the 11 fields, according to AT&T, are provided in parsed format by BOCs other than BellSouth, including: NAME (End User Name), DGOUT (DID Digits Out), STYC (Style Code), and BRO (Business/Residence Placement Override). However, according to BellSouth, the relevant information for these four fields may be obtained from other parsed or unparsed fields contained on the CSR. *Affidavit of William Stacy*, Docket 6863-U, at ¶ 47 (Feb. 25, 2002).

Based on the evidence presented, the Commission finds that BellSouth has implemented fully fielded parsed CSRs consistent with the Commission’s *271 Order*. While there may be certain fields that the CLECs have requested which BellSouth has not provided in a parsed format, there has been no showing that the parsing of these fields is critical to ensuring that “a broad range of residential customers are to have a competitive choice for local service,” which, according to the DOJ, is the standard against which nondiscriminatory access to OSS must be judged. *Evaluation of the United States Department of Justice*, at 10. This is particularly true given that other BOCs do not provide some of the fields in parsed format and that the information for the remaining

fields at issue can be obtained elsewhere from the CSR. To the extent any CLEC wishes BellSouth to develop the parsed capability for any additional fields, such requests should be directed to the CCP. In the meantime, the Commission believes that BellSouth has more than adequately satisfied the FCC's requirements for establishing the successful integration of pre-ordering and ordering functions.

**(3) Manual Ordering**

In its initial evaluation of BellSouth's 271 application for Georgia, the DOJ expressed significant concerns about the extent of manual handling by BellSouth. *See Evaluation of the United States Department of Justice*, at 14-23. Although the Commission is continuing to monitor BellSouth's manual processes, BellSouth has taken several important steps that should resolve the DOJ's concerns.

First, BellSouth's flow-through rates have continued to improve, which reduces the extent of manual handling by BellSouth. For example, between September 2001 and December 2001, BellSouth's "regular" flow-through rate for Business increased from approximately 68% to approximately 74%. During the same period of time, BellSouth's "regular" UNE flow-through rate increased from approximately 79% to almost 83%. BellSouth's "regular" average total flow-through rate and Residence flow-through rate remained relatively constant between September and December 2001, at approximately 87% and 90%, respectively. Although BellSouth's flow-through performance continues to fall short of the Commission's benchmarks, progress continues to be made.<sup>13</sup>

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<sup>13</sup> In its initial evaluation, the DOJ expressed concern that BellSouth had "repeatedly revised its flow-through performance measures for electronically submitted orders" and that BellSouth's prior flow-through calculations omitted DSL orders. *Evaluation of the United States Department of Justice*, at 15. For the months September through December 2001, BellSouth did not revise its flow-through results, and these results include DSL orders. *Supplemental Affidavit of Alphonso Varner*, CC Docket No. 02-35, ¶71.

Second, BellSouth's flow-through rates should continue to improve, particularly given the work of the Flow-Through Improvement Task Force, which was created by this Commission in Docket 7892-U and which now operates as a subcommittee of the CCP. Eighteen flow through improvement features to BellSouth's OSS are being made through the CCP. Most recently, as part of Release 10.3.1, which was implemented on February 2, 2002, four flow-through features were put in place; in Release 10.4, which is scheduled for April 6, 2002, four flow-through features are expected to be implemented; and in Release 10.5, which is scheduled for May 18, 2002, ten flow through features are expected to be implemented. Once implemented, these features should have a continued positive effect on flow-through results.<sup>14</sup>

Furthermore, BellSouth has enhanced the electronic ordering capabilities for DSL competitors, which should further improve flow-through results as well as address concerns by the DOJ about the ability of competitors such as Covad Communications ("Covad") to compete in the DSL market. Specifically, consistent with the Commission's *271 Order*, BellSouth deployed electronic ordering for line splitting on January 5, 2002. In addition, on February 2, 2002, BellSouth made available electronic ordering of the UDC/IDSL. Although UDC/IDSL orders will fall out for manual handling until May 19, 2002, when the flow-through capability for this loop type is scheduled for implementation, CLECs no longer have to fax orders for the UDC/IDSL loops. *Joint Supplemental Affidavit of William Stacy, Alphonso Varner, and Ken Ainsworth*, CC Docket No. 02-35, ¶¶ 192-194. That Covad can now submit UDC/IDSL orders electronically gives Covad "real-time access to the electronic functions necessary

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<sup>14</sup> BellSouth's Third Notice of Filing Corrective Action Plans, Docket 7892-U, at 6.

to maintain good customer relations,” which was an issue with the DOJ. *Evaluation of the United States Department of Justice*, at 16.

Third, BellSouth has improved its service order accuracy performance, which should address the FCC Staff’s concerns about this issue and the DOJ’s concern about the “competitive effects of timely but inaccurate order processing ....” *Evaluation of the United States Department of Justice*, at 17. BellSouth implemented an action plan for increased service order accuracy in October 2001, which included additional training for BellSouth service representatives. As part of this plan, BellSouth also put in place several quality initiatives, including: (1) reviewing sample service orders to identify common errors and develop corrective action plans; (2) designating a management person to oversee that the reviewing representatives are accurately assessing the quality of the orders, documenting the results and making the corrections as required; and (3) conducting quality audits so that information can be incorporated into daily coaching and developing routines of all supervisors in the Local Carrier Service Centers (“LCSC”).<sup>15</sup>

BellSouth’s efforts to improve its performance in the area of service order accuracy have been successful. For example, during the three-month period from June through August 2001, BellSouth missed the Commission’s 95% benchmark for two of three months in 11 of the 24 service order accuracy sub-metrics. By contrast, during the three-month period from September through November 2001, BellSouth missed the Commission’s benchmark for two of the three months in only 4 of the 24 service order

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<sup>15</sup> BellSouth’s Second Notice of Filing Corrective Action Plans, Docket 7892-U, at 22-24.

accuracy sub-metrics and barely did so in almost every instance.<sup>16</sup> BellSouth's service order accuracy performance in December 2001 was equally strong.<sup>17</sup>

As part of its current review of the existing performance measurement plan, the Commission is considering revisions to the service order accuracy measure, including streamlining the levels of disaggregation and modifying the measure to include an electronic process to review all partially mechanized LSRs. Once the Commission adopts a revised service order accuracy measure, it will be included in the Commission's enforcement plan as well. In the meantime, BellSouth has voluntarily agreed to pay Tier II penalty payments under the existing service order accuracy measure consistent with the Commission's enforcement plan. The Commission believes that the prospect of BellSouth having to pay penalties provides additional incentive for BellSouth's service order accuracy performance to continue to improve.

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<sup>16</sup> Docket 7892-U, Performance Measures. For three of the four sub-metrics for which BellSouth missed the Commission's 95% benchmark in two of the three months from September through November 2001, BellSouth achieved a service order accuracy rate of at least 90% in November 2001. These three sub-metrics are: Design (Specials) < 10 Circuits / Non-Dispatch (90%); Loops Non-Design / <10 Circuits / Non-Dispatch (94.67%); and Local Interconnection Trunks / < 10 Circuits / Non-Dispatch (92.31%).

<sup>17</sup> Docket 7892-U, Performance Measures. The Commission recognizes that changes were made in the way in which BellSouth reports its service order accuracy results. This issue was discussed during industry workshops in Docket 7892-U, and, at the Commission Staff's direction, BellSouth filed a letter on February 1, 2001, explaining that, under the Commission's Service Quality Measurement ("SQM") plan, BellSouth had reported service order accuracy results based on LSRs rather than service orders, had not used statistically valid samples for each level of product disaggregation, and had failed to include certain product categories, most notably mechanized loop-port combinations, from the universe from which the sample was being drawn. Effective with November 2001 results, BellSouth began reporting results for the measure based on service orders as opposed to LSRs, changed the process to use a statistically valid sample of service orders as opposed to counting all service orders associated with a particular LSR, and added all the product categories to the universe, including mechanized loop-port combinations, that had previously been omitted. *See* Letter from Bennett L. Ross to Reece McAlister, Docket 7892-U (Feb. 1, 2002). The Commission finds that these changes were appropriate as they bring BellSouth's reporting more closely in conformity with the requirements of the SQM, which requires that a "statistically valid sample of service orders" be used and that all products in the specified levels of disaggregation be considered in calculating service order accuracy results.

Fourth, as required by the Commission's *271 Order*, BellSouth has increased the reject correction time limit associated with CLEC LSRs. As a result, CLECs now have 30 days rather than 10 days to respond to an LSR that has been rejected or returned for clarification by BellSouth before the LSR is cancelled. This additional time should address the DOJ's concern that canceling an LSR after only 10 days "hindered" "[t]he ability of CLECs to resubmit mistakenly rejected orders (or those whose rejection codes are difficult to decipher) ...." *Evaluation of the United States Department of Justice*, at 19, n.59.

In its initial evaluation, the DOJ also expressed concern about BellSouth's manual processes because of CLEC complaints "that their subscribers are increasingly suffering from loss of dial tone upon conversion to the UNE-platform." *Evaluation of the United States Department of Justice*, at 21. The Commission addressed this issue in its Initial Comments and Reply Comments in CC Docket No. 01-277, noting that CLEC claims of lost dial tone during UNE-P conversions "appear to be overstated." *Reply Comments of the Georgia Public Service Commission*, CC Docket No. 01-277, at 26-27.

That lost dial tone during UNE-P conversions occurs relatively infrequently should not diminish in any way problems experienced by an end user customer migrating from BellSouth. The Commission is committed to ensuring that the migration process is as seamless as possible, which is the reason the Commission required that BellSouth implement the single "C" order process by January 5, 2002. The Commission recognizes that BellSouth has failed to meet this deadline, although BellSouth has continued to keep the Commission informed of its progress. Under the Commission's *271 Order*,

BellSouth is subject to fines in the amount of \$10,000 per day for its failure to meet this deadline.

In the meantime, BellSouth has voluntarily agreed in connection with the workshops in Docket 7892-U to implement a performance measure that will report the percentage of premature disconnections of UNE-P conversions associated with the N and D order process. This measure will include a benchmark of 1% premature disconnects, and BellSouth will begin reporting its performance with January 2002 data. *Affidavit of Ken Ainsworth*, Docket 6863-U, at ¶ 7 (Feb. 25, 2002). The Commission believes that this measure will serve as a valuable tool in monitoring BellSouth's conversion process until the single "C" process has been implemented.

Nevertheless, the Commission stands by its conclusion that the occurrence of lost dial tone during UNE-P conversions is relatively isolated. This conclusion is supported by the information provided to the Commission in response to its February 18, 2002 inquiry, which indicates that, of the 154,861 UNE-P requests processed by BellSouth in Georgia for the period from June 22, 2001 through December 31, 2001, only 282 (or 0.18%) had a possible conversion-related problem resulting in a loss of dial tone. This data was gathered by BellSouth based upon an analysis of every trouble report received from 3 business days prior to the conversion and 5 days following the conversion and includes any loss of dial tone, even though some outages may have been unrelated to the actual conversion. *Affidavit of Ken Ainsworth*, Docket 6863-U, at ¶ 3 (Feb. 25, 2002).

BellSouth's data is supported by at least some of the CLECs responding to the Commission's February 18, 2002 request for information. For example, according to NewSouth, the frequency of lost dial tone during UNE-P conversions in Georgia has