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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 18, 2002

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street SW
Washington, DC 20554

Attached is a public version of an Ex-Parte filed on April 12, 2002. The staff has informed us that this version has not been posted on ECFS. We are sending this additional copy so that it may be included in the Public Record.

Thank you,
Paige Wunder

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APR 18 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 12, 2002

EX PARTE

Mr. William Caton
Acting-Secretary
Federal Communications Commission
The Portals
445 12th St. SW
Washington, D.C. 20554

Re: CC Docket No. 02-35

Dear Mr. Caton:

In connection with BellSouth's application for 271 approval in the states of Georgia and Louisiana, Commission staff of the Wireline Competition Bureau has asked BellSouth to respond to certain issues raised by commenters. This letter responds to several of these issues. I am requesting confidential treatment for this letter because it contains CLEC-specific information to which such treatment should be accorded subject to the terms of the Protective order issued in this docket on February 14, 2002.

DSL USOC Issue

The staff asked for clarification of the interim process implemented April 1, 2002 to remove the DSL USOC from CSRs associated with lines that no longer have active DSL accounts.

As described in the Supplemental Reply Affidavit of David Scollard (paras. 9-11) this interim process updates the CSR to remove the DSL USOC in the same manner other CSR updates are performed. Under this process, an error-free service order will be updated in the billing system *no more than* three business days from the order "completing" the provisioning process. This three-business day commitment, however, is the outer limit on the period required to update. To complete the update, the full three-day period will be necessary only

for a small subset of orders that happen to be received during the monthly bill processing period for the account in question. During this monthly process, the CSR is frozen for three days to ensure billing accuracy. This circumstance will affect only a small percentage of orders, in order to allow for the proper operation of the billing system.

Except in the case described above, error-free orders received by 5 p.m. should be updated by the morning of the next business day. CRIS is operated as a "batch" system. The CSR posting software runs once per business day. To insure that this processing includes as many orders as possible it is run at night after the normal business hours of the centers generating the service orders. Accordingly, as Mr. Scollard demonstrated, over 70% of the CSR updates occur in less than 24 hours, *i.e.*, by the morning of the next business day. Indeed, since implementing the interim process described in Mr. Fogle's Supplemental Reply Affidavit, nearly 85% of the orders requiring updating to remove the DSL USOC were completed the next business morning. Specifically, from April 1 – April 8, there were 32 total orders handled in the process: 27 were posted within one day, 3 were posted within two days, and 2 were cancelled. A detailed list of this analysis is attached hereto as Attachment A (confidential).

The staff also requested additional information on the scope of orders affected by the DSL USOC issue. In Mr. Fogle's Supplemental Reply Affidavit, he provides information for January on the number of CLEC orders where the order is clarified and the end-user is not actively provisioning DSL on the line. At the request of the staff, below is information for the scope of these orders in December and February.

	December	January	February
Total non-LNP LSR's	351,231	434,840	390,838
Total UNE-P Conversions	57,302	67,914	53,709
Total Auto-clarified Orders	39,228	49,661	47,770
Auto-clarified for DSL	781	1,069	832
Percent of Auto-Clarified	1.99%	2.15%	1.74%
Percent of UNE-P Conversions	1.36%	1.57%	1.55%
Clarified without DSL	253	251	203
Percentage of UNE Conversions	0.44%	0.37%	0.38%

Expanded Local Calling Issue

The staff has also asked BellSouth to respond to the assertion by WorldCom that the intraLATA toll call issue raised in its comments is not simply a function of an expanded local calling area.

The broad intraLATA toll call concern raised by MCI does involve two separate issues. By far the larger cause of this issue is the expanded local calling area associated with UNE-P in Georgia. A second cause-- and the one first identified by BellSouth-- is described in paragraph 2 of the Reply Affidavit of David Scollard (November 13, 2001). As explained by Mr. Scollard therein, after investigating the issue, BellSouth determined that certain DUF records provided to MCI were correct. During the investigation, however, BellSouth discovered that "in some cases the Local PreSubscribed Interexchange Carrier Code (LPIC) was not the LPIC that MCI was expecting." The consequence of this switch translation issue is that BellSouth carried these calls instead of the carrier expected by MCI. As Mr. Scollard described, this issue affected only a fraction of the records. To put the issue in perspective, MCI cited to approximately ***** DUF records as problem DUFs over a 90-day period, while in October alone, BellSouth provided MCI with over ********** DUF records. Nonetheless, BellSouth has continued to investigate this issue. To date, however, the single incorrect LPIC identified by Mr. Scollard in his October Reply Affidavit is the only instance of this type of error of which BellSouth is aware.

Due Date Calculator

The staff further asked BellSouth to respond to AT&T"s allegation that BellSouth's own data shows that the due date calculator doesn't work because the Flow Through Error Analysis Report for February 2002 identified 4,581 BST-caused errors as Error Code 9685 ("Due Date Could Not Be Calculated").

To address this issue, BellSouth started an investigation of the total of 5,407 errors assigned to this error code. This number includes BellSouth and CLEC caused errors, both of which appear under this error code. To date, BellSouth has reviewed nearly one-third of these errors. The errors in the sample BellSouth has analyzed thus far fall into two categories, neither of which indicates a problem with the due date calculator. The first category of errors includes several different CLEC errors, such as:

- Desired Due Date Cannot Be More Than One Year In The Future
- Desired Due Date Cannot Be Earlier Than Today
- Invalid Address Cannot Calculate Due Date

Each of these errors is returned to the CLEC for correction and is charged as a CLEC error in the flow-through error analysis.

The second category of errors includes items that are designed to fall out for manual processing such as "Cannot Calculate Due Date – Due Date Will Be Returned On FOC," which applies to products that are designed to fall out, and "Cannot Add More Than 15 Lines On One Order" for products for which the due date is negotiated per the Interval Guide. These orders are handled by the LCSC as appropriate. These errors are charged against BellSouth in the flow-through report.

Thus, BellSouth's investigation has confirmed BellSouth's position that the Due Date Calculator appears to being functioning properly. The fact that due dates are not calculated for orders requesting due dates in the past or more than a year in the future does not suggest otherwise.

The staff has also asked BellSouth to respond to the assertion from Worldcom that for every order requesting a change of due date, the FOC returned has the wrong due date. BellSouth has stated that this problem is limited to "supp 3" orders, but in its Reply Comments Worldcom suggests that the problem must affect "supp2" orders as well. A review of all "supp 2" orders submitted by Worldcom in February, however, confirms BellSouth's statement that there is no due date problem with mechanically processed "supp 2" orders.

BellSouth analyzed all **** "sup02's" submitted by MCI in the month of February. The details of the ***** PONs for which a FOC was returned are shown in Attachment B (confidential) to this letter. This analysis shows:

*** FOCS - returned with the new, correct due date
*** FOCs - returned with an incorrect due date due to an error by a service rep
**** PONS were returned to MCI because of MCI errors in other sections of the LSR.

Thus, BellSouth's review confirms that all of the "sup 2" order that were handled mechanically returned a correct due date. Only some orders that were handled manually (those shaded in Attachment B) returned an incorrect due date. The process used by the BellSouth service reps that created these errors has been reviewed, and the process has been modified to minimize the occurrence of such errors in the future. In any event, however, there is no evidence of a due date calculator error for "supp 2" orders.

MPower Billing Quality Assurance Program

The staff also asked for additional information on BellSouth's efforts to work with MPower to create a Billing Quality Assurance (BQA) program. What follows is a brief summary of the steps BellSouth has taken since January to develop such a plan.

In late 2001, Mpower requested that pursuant to its interconnection agreement with BellSouth, BellSouth work with Mpower to establish a BQA program for it. Although we had developed such a program for AT&T's access billing, this would be the first such program we would be creating for local services. Between January and March we worked to determine the personnel, billing systems, types of accounts and other data sources that would be used in such a program for local services and to develop an estimate of what the creation and operation of the program would cost. To obtain that estimate, BellSouth had to determine the costs of the programming required to create data files in a special format not only for CABS, but also for CRIS and IBS, as well as determine the costs of programming that would integrate and convert data drawn from CABS, CRIS and IBS into the system that would generate the reports that MPower would receive as part of a BQA program. (The AT&T effort had extended only to CABS bills.) Throughout the period in which we were developing this prototypical plan, we continued to talk with Mpower almost weekly, describing our ongoing research effort to Mpower in weekly status calls. On March 28, BellSouth presented a partial cost estimate to Mpower. We will continue discussions on the final framework of the program that will be the least cost and most efficient for both parties.

Odd Ball Codes

Staff also asked BellSouth for a report on the status of Odd Ball Codes used in the BellSouth region. In paragraph 73 of the Milner Reply Affidavit filed on November 13, 2001, BellSouth had discussed its use of the 780 NXX code and 557 NXX code for internal business purposes. Currently, a BellSouth project team has begun the work required to use toll free numbers instead of numbers from the 557 and 780 NXX codes for official BellSouth communications. BellSouth's goal is to complete migration across the BellSouth Region by December 2003. BellSouth plans to return the codes to NANPA once BellSouth vacates the codes. If BellSouth determines a need for all or part of a given code in a given NPA, BellSouth may request that it be assigned all or part of that code in a particular NPA. To the extent that Number Pooling has been implemented at the time BellSouth vacates the oddball codes, it may request that only certain number blocks be assigned to BellSouth from the returned codes.

The Milner Reply Affidavit also discussed the use of the 203 NXX (ZipCONNECT) and 930, 440, 530 NXXs (UniServ) in the BellSouth region. *See* Milner Reply Affidavit at §§ 75-79. BellSouth intends to file an updated ONA report with the Commission shortly in which BellSouth will express its intent to discontinue these services because the NANPA has refused to duplicate these codes as needed when a NPA split occurs. After it updates the report, BellSouth will discuss with FCC the procedures that BellSouth should follow to discontinue these ONA services. BST is currently trying to develop alternate service arrangement for any existing customers. BellSouth plans to return the codes to NANPA once BellSouth vacates the codes. If BellSouth determines a need for all or part of a given code in a given NPA, BellSouth may request that it be assigned all or part of the code in a particular NPA. To the extent that Number Pooling has been implemented at the time BellSouth vacates the oddball codes, it may request that only certain number blocks be assigned to BellSouth from the returned codes.

In accordance with Commission rules, I am enclosing one original copy of this letter, including the confidential data, labeled CONFIDENTIAL--NOT FOR PUBLIC INSPECTION. I am also enclosing two copies of this letter from which those data have been redacted for public inspection. These copies are labeled REDACTED FOR PUBLIC INSPECTION. Inquiries about access to the confidential material submitted with this letter should be directed to Laura Brennan, Kellogg, Huber, Hansen, Todd & Evans, 1615 M Street, N.W., Suite 400, Washington, D.C., 20036, 202-367-7821. Please contact me if you have any questions about this filing.

Sincerely,

Glenn T. Reynolds

cc: Michelle Carey
Renee Crittendon
Aaron Goldberger
Dennis Johnson
Ian Dillner
Daniel Shiman
Susan Pie
James Davis-Smith (Department of Justice)

ATTACHMENT A

CONFIDENTIAL

ATTACHMENT B

CONFIDENTIAL