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By Electronic Filing

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

Re: Ex Parte-In the Matter of Application by BellSouth Corporation for
Authorization
to Provide In-Region, InterLATA Services in the States of Florida and
Tennessee,
WC Docket No. 02-307

Dear Ms. Dortch:

WorldCom submits this letter to make clear its view that BellSouth's recent failures with respect to Release 11.0 warrant rejection of its pending section 271 application for Florida and Tennessee. These failures must be assessed against a pattern of similar failures that have led the Commission to state twice that BellSouth's process of software quality control requires careful scrutiny. WorldCom further explains in this letter why it remains concerned that BellSouth is not implementing CLEC changes in priority order. WorldCom also describes the development of a new problem – BellSouth's CSOTs database is unavailable much of the time. Finally, WorldCom discusses the astounding revelation that BellSouth has not implemented a "single C" ordering process for all UNE-P orders.

BellSouth's Quality Control Process for Software Is Deeply Flawed

The longstanding problems with BellSouth's process of software development have continued and even increased. As the Commission is aware, BellSouth has delayed implementation of Release 11.0 as a result of defects in the software. During preliminary testing, BellSouth determined that the release had so many defects that "it would not be productive to place this release into CAVE" for CLEC testing. Nov. 4, 2002 Release 11.0 Status Meeting Minutes. The code contained a "much higher defect rate than previous

BellSouth releases.” *Id.* Indeed, as of October 30, 2002, the code had 135 defects with only 60% of internal testing complete. Stacey Reply Decl. ¶ 105. Release 11.0 had more than ten times as many defects as BellSouth’s prior releases, Release 10.5 and 10.6, at comparable stages in the development process. *Id.* BellSouth therefore told CLECs that Release 11.0 had to be delayed. It presented CLECs with two options for rescheduling. CLECs chose the option under which part of Release 11.0 would be delayed by several weeks and the rest delayed by 15 weeks. Stacey Reply Decl. ¶ 111.

WorldCom is very concerned about the problems with Release 11.0 primarily because they prove that BellSouth has not resolved the critical issue that has long plagued it – BellSouth is unable to ensure implementation of quality software releases in a timely fashion. In response to BellSouth’s recent section 271 applications in the seven states in its region other than Florida and Tennessee, WorldCom demonstrated that BellSouth has a long pattern of implementing software releases with far too many defects. BellSouth’s release of migrate-by-telephone-number functionality last November caused an immediate doubling of WorldCom’s reject rate; its January 2002 release for parsed Customer Service Records included far too many defects; its March release of “single C” ordering radically diminished the accuracy of BellSouth’s line loss reports; its implementation of Release 10.5 was riddled with defects despite being delayed to improve software quality; and its implementation of Release 10.6 caused hundreds of rejects of WorldCom orders even though it was also delayed.¹

Release 11.0 still has numerous defects. As of a November 18, 2002, conference call with CLECs, BellSouth discussed thirteen defects (three Severity 2, six Severity 3, and four Severity 4) with CLECs and refused to discuss forty one others, claiming that the forty one defects are “internal” and of no concern to CLECs.² Of the defects it was willing to discuss, one (ISA Partner ID not being returned) is absolutely critical as it would make it impossible for CLECs to receive *any* notifications for orders submitted via EDI. Nonetheless, BellSouth has labeled this defect a Severity 2 rather than a Severity 1 defect. Other critical defects exist for LENS (the GUI interface). While BellSouth has assured CLECs that it is working around the clock to correct these defects, BellSouth has stated that it intends to put the release into CAVE regardless of whether these critical defects are corrected. This is so even though the continuing existence of these defects will essentially make testing worthless.

BellSouth’s failure to provide quality software has led regulators repeatedly to express concern about BellSouth’s OSS. In its *Georgia/Louisiana 271 Order*, the Commission noted that it “share[d] the Department of Justice’s concern that software releases with numerous defects inhibit smooth transitions between releases” and stated that it “plan[ne]d to monitor

¹ BellSouth’s explanation that the problem in Release 10.6 related to a contract issue, not a flaw in its change management process, is unpersuasive, as WorldCom explained in detail in filings related to BellSouth’s five state application.

² There are undoubtedly numerous other defects that still exist in the portion of Release 11.0 that has been postponed until next year.

BellSouth's performance in this regard." *Georgia/Louisiana 271 Order* ¶ 195. The Florida Commission also noted its concern. After BellSouth delayed implementation of Release 10.5 and then implemented the release with multiple defects, the Florida Commission ordered new metrics related to defects. Order No. PSC-02-0989-PAA-TP at 9. The Florida Commission did so not only because of the impact of the defects in Release 10.5 but also because of the impact caused by the delays to the release schedule. *Id.* In its *BellSouth Five State 271 Order*, the FCC then pointed to Florida's new metrics as a basis to expect future improvements, while continuing to note that it "share[d] the concern expressed by the Department of Justice and the competitive LECs regarding the number of defects in BellSouth's releases." *Five State Order* ¶ 200.

Unfortunately, it is the Commission's concern that has proven warranted, rather than its expectation of future improvements. As noted above, the code provided to BellSouth by its vendors for Release 11.0 had more than ten times as many defects as prior releases at a comparable time in the testing process. BellSouth contends that the fact that it discovered these defects during internal testing demonstrates that its change management process is working as it should. Stacey Reply Decl. ¶115. That is not so. It is better that BellSouth caught these defects than that it failed to do so. But the defects should not have existed by the time BellSouth received the code from its vendors. If not developing the software itself, BellSouth should have monitored its vendors to ensure that BellSouth had quality software to place in CAVE on schedule. Clearly, there are significant problems in the processes BellSouth uses to develop its software specifications and manage its vendors. BellSouth's track record continues to be abysmal in this area and must be improved before the FCC grants BellSouth's final 271 application.

CLECs plan for testing and implementation to occur on schedule. Delays in the schedule throw off CLEC planning and lead to misallocation of resources. WorldCom, for example, is currently planning for development of Releases 12.0 and 13.0. Any delays in these releases will significantly harm WorldCom. WorldCom has been waiting for years for the functionality that will be provided by these releases, especially interactive agent and EDI preordering, both of which are critical, as WorldCom has previously demonstrated. Although BellSouth promises that Releases 12.0 and 13.0 will not be delayed, there is no basis to believe that this is true. Of the last three BellSouth releases, all were delayed. Release 10.5 and 11.0 were delayed as a result of defects found during internal testing and the delay in Release 10.5 led to a delay in Release 10.6. Such delays alone substantially harm CLECs.

But delay is not the only problem. The poor quality of the initial software for Release 11.0 will likely translate to poor quality when the Release is actually put into CAVE and then into production. Although the purpose of the delay of Release 11.0 is for BellSouth to fix the software, the same was true for Release 10.5. Nonetheless, Release 10.5 had a high number of defects when released into production. And Release 11.0 had more than ten times as many defects as Release 10.5 at a comparable stage of the development process. Thus, it is quite likely that Release 11.0 will still be riddled with defects when placed into production. Of course, there is no way for the Commission to know for sure, as BellSouth has now scheduled

implementation of Release 11.0 to occur after the Commission has released its section 271 order. That is all the more reason to deny this application.

This is the last chance for the Commission to hold BellSouth's feet to the fire prior to full section 271 entry. It has let BellSouth slip by in prior applications with a change management process that was, at best, barely adequate. BellSouth's management of software releases has now demonstrably worsened. BellSouth should not be permitted to slip by again and gain section 271 authority throughout its region without having fixed the flaws in its process of software development.

BellSouth Does Not Adequately Involve CLECs in Decisions on the Scope of Releases

BellSouth's application must also be rejected because BellSouth fails to adhere to the change management process with respect to prioritization. WorldCom's Comments focused on BellSouth's failure to implement CLEC change requests in priority order or to explain to CLECs why it could not do so and work with them to come up with alternatives. BellSouth replies by arguing that there are good reasons for it to deviate from priority order. But that is neither responsive nor adequate.

WorldCom acknowledges that there may sometimes be reasons to deviate from priority order. But when there are, BellSouth must explain those reasons to CLECs in time for CLECs to consider them and propose alternatives. BellSouth does not say that it provided such explanations in the past and BellSouth does not promise to do so in the future. It does not say that in planning for 2003 releases it explained to CLECs why it was deviating from priority order at a point in time when they could have evaluated this information and proposed alternatives. And BellSouth does not promise that it will in the future deviate from CLEC priority order only after working out the issues with CLECs.

The change management process does not permit BellSouth unilaterally to determine which changes will be implemented in a particular release. Yet for all of its bluster about CLEC involvement, that is exactly the right BellSouth claims. BellSouth must renounce its claim to such a right or be denied section 271 authorization.

BellSouth's CSOTs Database Is Malfunctioning

BellSouth's application should be rejected for another reason as well. BellSouth's CSOTs database has repeatedly malfunctioned (often on a daily basis) in recent months. CSOTs is the database that CLECs access to obtain order status information. WorldCom uses the database to check such status when customers call. And the database is even more critical on loop orders for which CLECs must track status as the cutover date approaches.

CSOTs is also the database used by most CLECs to obtain line loss information, which tells CLECs when one of their customers has migrated to a different carrier. (Unlike most

CLECs, WorldCom obtains this information through an NDM feed.) It is critical that CLECs receive timely line loss information so that they can stop billing the customer.

But CSOTs has been unavailable or malfunctioning much of the time in recent months. There were nine incidents of degraded CSOTs service or CSOTs outages in October. And there already have been nineteen such incidents in November. Many of these incidents have lasted for an entire business day. These incidents only affect CLECs, not BellSouth retail. BellSouth retail representatives can access order status information directly through the Service Order Processor.

BellSouth has acknowledged that it is having problems with CSOTs, apparently because it has mismanaged the capacity in its systems. BellSouth has indicated that it will implement a new server in coming weeks to fix the problem but has provided no workaround. In addition, CLECs have recently discovered that CSOTs availability is not calculated in the systems availability portion of the BellSouth metrics, so the CSOTs outages are not considered in evaluating BellSouth's ongoing performance. BellSouth must fix the problem before, not after, it gains section 271 entry.

BellSouth Has Not Implemented a "Single C" Ordering Process for All Orders

AT&T recently revealed that BellSouth has now disclosed that it failed to implement the "single C" process for partial migration orders. That is an astounding admission. Both the Georgia and Louisiana Commissions ordered BellSouth to adopt a single C process last year. BellSouth told this Commission that it intended to comply with these mandates in order to resolve issues of lost dial tone. And BellSouth claimed that it did implement such a process many months ago. But BellSouth apparently has now revealed that the change it made was incomplete – although BellSouth seems only to have made this revelation to AT&T. Even today, BellSouth has not explained the limited scope of the single C process to all CLECs. BellSouth's failure to apprise CLECs of the limited scope of the single C process underscores the continued problems with BellSouth's approach to change management and to dealing with CLECs more generally.

But that is not the only problem caused by the misinformation BellSouth provided. CLEC customers continue to lose dial tone. WorldCom has presumed that the loss of dial tone experienced by its customers is the result of background causes that also affect BellSouth retail customers. WorldCom will now have to reexamine this assumption and evaluate how much of the loss of dial tone results from BellSouth's multiple service order process for partial migrations. WorldCom should not have to do this. BellSouth should have implemented a single C process for all migration orders. And on a going-forward basis, BellSouth must still implement such a process and should not receive section 271 authority until it does so. BellSouth must also begin dealing honestly and openly with CLECs.

Ms. Marlene H. Dortch

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Pursuant to the Commission's rules, I am filing an electronic copy of this letter and request that it be placed in the record of this proceeding.

Sincerely,

Keith L. Seat

cc: Christine Newcomb, Janice Myles, Luin Fitch (DOJ), James Davis-Smith (DOJ), Beth Keating (Florida PSC), Chairman Sara Kyle (Tennessee Regulatory Authority), Qualex International