

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

In the Matter of	)	
	)	
Application by SBC Communications Inc.,	)	
Michigan Bell Telephone Company, and	)	WC Docket No. 03-16
Southwestern Bell Communications Services,	)	
Inc., for Authorization Under Section 271	)	
Of the Communications Act to Provide	)	
In-Region, InterLATA Service in	)	
The State of Michigan	)	

**SUPPLEMENTAL COMMENTS OF TDS METROCOM, LLC**

Mark Jenn  
Manager - CLEC Federal Affairs  
TDS Metrocom, LLC  
525 Junction Road, Suite 6000  
Madison, WI 53717

Richard M. Rindler  
Michael W. Fleming  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
(202) 424-7500 (Telephone)  
(202) 424-7645 (Facsimile)

Counsel for TDS Metrocom, LLC

Dated: April 9, 2003

**Before the  
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**SUPPLEMENTAL COMMENTS OF TDS METROCOM, LLC**

TDS Metrocom, LLC (“TDS Metrocom”) submits these supplemental comments pursuant to the Public Notice of April 4, 2003 concerning the Application by SBC Communications Inc., Michigan Bell Telephone Company, and Southwestern Bell Communications Services, Inc. (collectively referred to as “SBC”), for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the State of Michigan (“Application”).<sup>1</sup> For the reasons stated in these supplemental comments, as well as in the initial comments filed on February 6, 2003, the reply comments filed on March 4, 2003, and *ex parte* letters filed on March 14, 2003 and March 24, 2003, the Commission should deny the Application.

The Public Notice asked for comments regarding a recent *ex parte* filing by SBC. According to the Public Notice, “This *ex parte* filing discusses the efforts SBC has taken to correct errors in its billing database. Specifically, this *ex parte* provides additional details of

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<sup>1</sup> *Comments Requested in Connection With SBC’s Pending 271 Application*, Public Notice, WC Docket No. 03-16, DA 03-1093, released Apr. 4, 2003.

SBC's migration to a new Carrier Access Billing System (CABS) and its efforts to process orders that were 'held' during this migration process. It also explains why this process resulted in inaccuracies in the CABS database."<sup>2</sup>

The SBC *ex parte* demonstrates that SBC is making affirmative steps to remedy one small part of its deficient operating support systems ("OSS"), but this latest effort by SBC is too little too late. TDS Metrocom has asserted in this proceeding that SBC is unable to provide accurate bills to its wholesale customers, and therefore fails to satisfy checklist item 2.<sup>3</sup> The Department of Justice agrees with TDS Metrocom that "SBC has had trouble generating accurate bills."<sup>4</sup> DOJ has asserted that SBC's application cannot be approved based on the current record.

The efforts taken by SBC identified in its *ex parte* filing do nothing to correct the problems that TDS Metrocom has experienced with SBC's billing systems. SBC's revisions to the billing database apply only to UNE-P circuits, and apparently only to one of the many aspects of billing for UNE circuits. TDS Metrocom does not order any UNE-P circuits from SBC. TDS Metrocom's billing problems are completely separate from the UNE-P CABS issue, and SBC's CABS transition has not and will not fix them. SBC has yet to adequately address the laundry list of billing problems identified in TDS Metrocom's filings in this proceeding. Instead, SBC continues to admit the existence of these billing problems, but then brushes them aside as isolated occurrences or problems not directly caused by billing systems. The Commission should not accept either explanation as sufficient, and certainly cannot take comfort in SBC's hollow assurances that these problems or ones just like them will not resurface in the future.

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<sup>2</sup> Public Notice at 1 (footnote omitted).

<sup>3</sup> TDS Metrocom Comments at 24-27; TDS Metrocom Reply Comments at 3-6, 9-10; *Ex Parte* Letter dated March 14, 2003 from Mark Jenn, TDS Metrocom, to Marlene H. Dortch, Secretary, Federal Communications Commission, at 1-3.

TDS Metrocom has also asserted that that SBC's change management process is deficient because SBC frequently implements changes to its OSS without adequately informing CLECs of the changes.<sup>5</sup> The revisions identified in the SBC *ex parte* filing were intended to address problems that occurred in SBC's initial CABS conversion. The fact that these significant billing problems occurred at all demonstrates the weakness of SBC's change management process. TDS Metrocom submits that the problems associated with migrating customers to a new CABS system will pale in comparison to the problems that will arise as a result of SBC's upcoming conversion of OSS from LSOG 5 to LSOG 6 that will affect all CLECs. The Commission should deny the SBC Application until SBC can demonstrate satisfactory compliance with change management issues, particularly in connection with the upcoming conversion to LSOG 6.

Finally, any fixes that SBC may have implemented since the filing of its Application should not be considered in connection with checklist compliance. The Commission has previously established that an Application must be complete upon filing and that “[c]hanges or upgrades (*e.g.*, development of new processes for providing access to checklist items) that post-date the application will not be relied upon for checklist compliance[.]”<sup>6</sup> At a minimum, the 90-day review period for SBC's Application must be reset to have begun on the date of the *ex parte* filing at issue, April 3, 2003.

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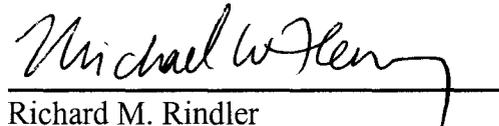
<sup>4</sup> DOJ Evaluation at 10.

<sup>5</sup> TDS Comments at 21-22; TDS Metrocom Reply Comments at 2-3, 9; *Ex Parte* Letter dated March 14, 2003 from Mark Jenn, TDS Metrocom, to Marlene H. Dortch, Secretary, Federal Communications Commission, at 3-4.

<sup>6</sup> *In the Matter of Application by SBC Communications, Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 to provide In-Region, InterLATA Services in Texas*, CC Docket No. 00-65, FCC 00-238 at ¶ 38 (June 30, 2000).

Once again, SBC's responses to its deficient OSS are inadequate in that they fail to address the myriad problems that TDS Metrocom has experienced. TDS Metrocom, LLC, urges the Commission to deny SBC's Application for Provision of In-Region InterLATA Services in the State of Michigan.

Respectfully submitted,



Richard M. Rindler  
Michael W. Fleming  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
(202) 424-7500 (Telephone)

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