

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of)	
)	
Review of the Section 251 Unbundling Obligations Of Incumbent Local Exchange Carriers)	CC Docket No. 01-338
)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996)	CC Docket No. 96-98
)	
Deployment of Wireline Services Offering Advanced Telecommunications Capability)	CC Docket No. 98-147
)	

DECLARATION OF ERIC FOGLE

1. My name is Eric Fogle. I am employed by BellSouth Resources, Inc., providing support to BellSouth Telecommunication Inc. ("BellSouth"). My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. I am a Director in BellSouth's Interconnection Services Organization. I have over 5 years of service at BellSouth with experience in new product development, project management, and business development. I have a Masters degree in Business Administration from Emory University in Atlanta, Georgia in 1997 and a Masters of Science degree in Electrical Engineering from the University of Missouri in Columbia Missouri in 1993. In the course of my work at BellSouth, I have personal knowledge regarding the matters described in this Declaration.

2. The purpose of this Declaration is to describe the similarities between BellSouth's Fiber to the curb ("FTTC") and Fiber to the Home ("FTTH") technologies. There are significant similarities in network architecture, performance, and implementation between these two technologies.

3. The similarities between FTTC and FTTH architectures are significant and meaningful. BellSouth's FTTC architecture uses the same wavelength division multiplexing video transport capability as FTTH. In fact, the Fiber to the Premises ("FTTP") video specifications in the joint BellSouth/SBC/Verizon RFP for FTTP is largely based on BellSouth's FTTC architecture. BellSouth, through its previous video service deployment and network design experience, provided valuable input, and drove the requirements that were ultimately agreed to by all three parties.

4. Additionally, the performance of FTTC with drop lengths up to 500 feet is equivalent to FTTH technology. FTTC technology utilizes an Optical Networking Unit ("ONU") that connects the fiber to the drop line, or drop, (the physical link between the ONU and the customer premises). The ONU is designed to provide FTTH equivalent voice, video and data services where the drop length is less than 500 feet (the actual average length of these drops is approximately 200 feet). Beyond 500 feet, however, the physical impedance of the drop line creates a degradation that eliminates the service-equivalency of the two

architectures. This service degradation is noticeable for multichannel video provided over a coaxial cable drop. Even though FTTC and FTTH technologies may change over time, existing FTTC ONUs with less than 500 foot drops are well positioned to handle customer voice, video and data needs well into the future, and would not likely be replaced.

5. There is very little difference between the implementation of FTTC and FTTH equipment and technologies. Often, the only difference is the choice of newly deployed cabling between the ONU and the customer premises. BellSouth's FTTC implementation makes use of existing fiber loop feeder facilities (that is, feeder facilities leaving BellSouth's central office, which are sometimes referred to as "the first mile" of loop facilities), if sufficient capacity is available on those existing facilities, just as BellSouth would for a FTTH implementation. Additionally, in most cases, when BellSouth provisions service over a FTTC loop in an overbuild location, it deploys a new copper pair drop, as well as a coax wire. The deployment of these new drop facilities is usually required because the ONU is designed to serve an 8-12 home cluster and is often in a different location than the old copper facilities serving terminal that typically serves only 4 homes. More importantly, approximately eighty-five percent (85%) of BellSouth's FTTC implementations have been in greenfield developments where copper plant did not previously exist. Greenfield deployment requires placement of all new facilities, and the required investment is no different for CLECs or BellSouth to undertake. Since a majority of BellSouth's deployment of FTTC is

in greenfield areas, and new copper is placed to a majority of homes in overbuild scenarios, BellSouth rarely re-uses an existing copper drop when providing service over FTTC architecture.

6. The similarity between these two technologies is further demonstrated by the fact that both FTTC and FTTH bear an information code in BellSouth's systems designating an all-fiber loop. Any copper in the loop that is not associated with FTTC bears a different designator, implying that hybrid loop unbundling rules apply.

7. Any implication that BellSouth does not have plans to utilize FTTC to provide video is wrong. Indeed, BellSouth has already activated video capability (with capacity to deliver up to 230 video channels) for approximately 175,000 FTTC served customers, and has programs under way to expand this video availability into additional areas. Currently, however, ninety-three percent (93%) of BellSouth's customers are not served by FTTC technology. Accordingly, BellSouth needed an immediately available alternative for widely providing video service. The recently announced DirecTV video deal allows BellSouth to immediately serve a significant majority of its customers with video services when such customers are not served by FTTC and thus would otherwise not purchase video services from BellSouth.

8. Moreover, any implication that FTTC relief is unnecessary because of BellSouth's existing FTTC deployment is equally wrong. BellSouth is committed to building out a next-generation network and thus has aggressively deployed FTTC where technically and economically feasible. Such deployment, however, is capital-intensive and risky. The substantial costs of unbundling – redesigning equipment to introduce access points in facilities whose efficiency derives from the integrated nature of a broadband network, developing otherwise unnecessary support systems, and coping with uncertainty about the future scope of sharing obligations – seriously constrain deployment.

I declare under penalty of perjury that to the best of my knowledge and belief the foregoing is true and correct. Executed on November 14th, 2003.



ERIC FOGLE