

BellSouth D.C., Inc.
Legal Department
Suite 900
1133 21st Street, N.W.
Washington, D.C. 20036-3351

bennett.ross@bellsouth.com

Bennett L. Ross
General Counsel-D.C.

202 463 4113
Fax 202 463 4195

March 23, 2005

Jeffrey J. Carlisle
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Unbundled Access to Network Elements*, WC Docket No. 04-313;

Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-338

Dear Mr. Carlisle:

At your request, BellSouth filed with the Commission on February 18, 2005, a list by Common Language Location Identifier ("CLLI") code of those wire centers that satisfied the nonimpairment thresholds for high-capacity loops, transport and dark fiber as adopted by the Commission in its *Triennial Review Remand Order*.¹ Since this filing, BellSouth has provided similar information and supporting data to Competing Local Exchange Carriers ("CLECs") as well as responded to numerous questions from CLECs about the methodology BellSouth used to identify these wire centers.

In preparing these data and responses, BellSouth recently discovered an error in the mathematical formula that was used to count retail digital access lines on a per 64 kbps-equivalent basis, as required by the Commission's rules. This error impacted only retail business line counts and did not affect the quantity of UNE-loops, which were correctly stated on a per 64 kbps-equivalent basis. However, as a result of this error, retail business lines were overstated, and thus the wire centers meeting the Commission's nonimpairment thresholds were not correctly identified in BellSouth's February 18, 2005 filing.

¹ *Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order on Remand (Feb. 4, 2005) ("*Triennial Review Remand Order*").

Jeffrey J. Carlisle

March 23, 2005

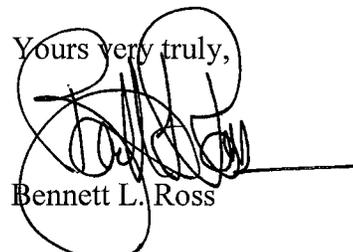
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BellSouth understands the necessity of correctly implementing the Commission's nonimpairment thresholds and recognizes that it is only entitled to unbundling relief in or between those wire centers where the Commission has determined CLECs are not impaired without unbundled access to high-capacity loops, transport, and dark fiber. Because of the importance of the Commission's unbundling determinations and because both the Commission and the industry must know with certainty where those wire centers are located, BellSouth has retained an independent third party to review the methodology BellSouth utilized in implementing the nonimpairment thresholds set forth in the *Triennial Review Remand Order* and to identify the specific wire centers where those thresholds have been met. Once this independent third-party review is complete, BellSouth will provide the Commission and the industry with the results.

This independent, third-party review should not delay implementation of the *Triennial Review Remand Order* in BellSouth's region. Before the Commission's unbundling rules took effect on March 11, 2005, state commissions in Alabama, Georgia, and Kentucky had ordered BellSouth to continue providing unbundled switching and high-capacity facilities until BellSouth's interconnection agreements have been amended. In order to allow its other state commissions to consider the issue, BellSouth advised CLECs and state regulators that it would not reject orders for unbundled switching and high-capacity loops, transport and dark fiber until the earlier of: (i) issuance of an order from an appropriate body, either a commission or a court, allowing BellSouth to reject these orders; or (ii) April 17, 2005. This independent, third-party review will be completed and the results disseminated before BellSouth rejects, or challenges through dispute resolution, any orders for new unbundled high-capacity loops, transport, and dark fiber pursuant to the *Triennial Review Remand Order*.

BellSouth sincerely regrets this error and apologizes for any inconvenience that it has caused. Please let me know if you have any questions or need additional information.

Yours very truly,



Bennett L. Ross

BLR:kjw

cc: Daniel Gonzalez
Matthew Brill
Jessica Rosenworcel
Scott Bergmann

Michelle Carey
Thomas Navin
Jeremy Marcus
Pamela Arluk

#577846