

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint of IDS Long Distance, Inc.  
n/k/a IDS Telcom, L.L.C., Against  
BellSouth Telecommunications, Inc., and  
Request for Emergency Relief

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DOCKET NO. 010740-TP

FILED: SEPTEMBER 5, 2001

REBUTTAL TESTIMONY

OF

KEITH KRAMER AND BECKY WELLMAN

ON BEHALF OF

IDS TELCOM, L.L.C.

CONFIDENTIAL & PROPRIETARY

*MR*  
**DECLASSIFIED**  
~~CONFIDENTIAL~~

This notice of intent was filed in a docketed matter by or on behalf of a "telco" for Confidential DN 11141-01. The confidential material is in locked storage pending staff advice on handling.  
(See DN 11051-01)

(Page 2 of 2 of Exh. KK10W)  
(is Confidential only) 3  
DOCUMENT NUMBER - DATE

11141 SEP -6 01

FPSC-COMMISSION CLERK

1 Q: **MR. KRAMER, PLEASE STATE YOUR NAME AND YOUR BUSINESS**  
2 **ADDRESS.**

3 A: My name is Keith Kramer. My business address is 1525 N.W. 167th Street,  
4 Miami, Florida 33169.

5 Q: **FOR WHOM ARE YOU EMPLOYED AND IN WHAT POSITION?**

6 A: I am a Senior Vice President at IDS Telcom, LLC ("IDS").

7 Q: **HAVE YOU TESTIFIED IN THESE PROCEEDINGS PREVIOUSLY?**

8 A: Yes, I provided direct testimony on July 23, 2001, and I also provided  
9 independent rebuttal testimony on September 5, 2001.

10 Q: **MS. WELLMAN, PLEASE STATE YOUR NAME AND YOUR**  
11 **BUSINESS ADDRESS.**

12 A: My name is Becky Wellman. My business address is 1525 N.W. 167th  
13 Street, Miami, Florida 33169.

14 Q: **MS. WELLMAN, IN YOUR DIRECT TESTIMONY YOU**  
15 **STATED THAT YOU ARE EMPLOYED BY IDS AS ASSISTANT**  
16 **VICE PRESIDENT OF LOCAL OPERATIONS. IN ADDITION**  
17 **TO THE JOB DUTIES YOU IDENTIFIED IN YOUR DIRECT**  
18 **TESTIMONY, PLEASE DESCRIBE ANY ADDITIONAL DUTIES**  
19 **RELEVANT TO YOUR TESTIMONY IN THIS PROCEEDING.**

20 A: In addition to what I stated in my earlier testimony, I also represent IDS  
21 in the Ordering and Billing Forum (OBF), the Change Control Process,  
22 the UNE-P user group and the Flow-Through Task Force.

1 Q: **HAVE YOU PREVIOUSLY FILED TESTIMONY IN THIS**  
2 **ARBITRATION?**

3 A: Yes. I filed direct testimony in this case on July 23, 2001, and I have  
4 also provided panel rebuttal testimony with William Gulas on September  
5 5, 2001.

6 Q: **MR. KRAMER, WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

7 A: I will rebut the testimony of BellSouth employees regarding the method of  
8 ordering conversion of resale accounts to UNE-P accounts. In particular,  
9 BellSouth has a better system to convert an ALEC's resale and retail customers  
10 to UNE-P, known as the "ACT of W" or "Activity Code W," and BellSouth has  
11 chosen not to make this system easily available to ALECs. I will also explain  
12 how IDS came to know of this system and BellSouth's attempt to take this  
13 technology away from IDS.

14 Q: **MS. WELLMAN, WHAT IS THE PURPOSE OF YOUR**  
15 **TESTIMONY?**

16 A: The purpose of my testimony also is to rebut assertions in the direct and  
17 rebuttal testimony of BellSouth witnesses regarding the method of  
18 ordering conversions of BellSouth retail and IDS resale accounts to  
19 UNE-P accounts. I will address the specifics of the "better system"  
20 referred to by Mr. Kramer to convert resale accounts to UNE-P accounts.  
21 Activity W is far simpler and less susceptible to human input error than  
22 the onerous ordering method that BellSouth traditionally has made

1 ALECs use. BellSouth has withheld this ordering method from ALECs  
2 for well over a year, until just last week when, in the wake of this and  
3 other proceedings before the Florida PSC and other regulatory  
4 authorities, BellSouth finally advised all ALECs of the existence of  
5 Activity W. And even now, BellSouth continues to try to discourage  
6 ALECs from using this superior system, stating that its use will be "at  
7 the risk of" the ACEC.

8

9 **BELLSOUTH'S WRONGFUL WITHHOLDING OF ACTIVITY W.**

10 Q: **MR. KRAMER, WHEN DID IDS FIRST LEARN ABOUT THE**  
11 **EXISTENCE OF ACTIVITY W?**

12 A: IDS first learned of Activity W through its experience with BellSouth's "bulk  
13 ordering" system. The bulk ordering system was designed to allow an ALEC to  
14 transfer its resale customer base and retail BellSouth to a UNE-P base in bulk  
15 form. As part of IDS's attempt to convert its resale base, in early to mid April of  
16 2000, BellSouth contacted IDS to discuss whether IDS would like to participate  
17 in a test of the bulk ordering system. This bulk ordering system was first  
18 discussed by BellSouth as an anticipated product in a Carrier Notification Letter  
19 of March 6, 2000. Because of the tremendous upside potential of this product,  
20 because it could facilitate IDS's switch of its customer base from resale to the  
21 more profitable UNE-P product, I agreed to participate in this test.

1 Q: **DID BELLSOUTH EXPLAIN TO YOU THAT THE BULK ORDERING**  
2 **PROCESS WAS NOT FULLY DEVELOPED TECHNOLOGY, OR IN**  
3 **"BETA" FORM?**

4 A: Initially, BellSouth told me the bulk ordering system would be a beta test.  
5 However, prior to the test run, on or about May 2, 2000, BellSouth announced at  
6 their ALEC inforum in Atlanta that it had a fully functional bulk ordering  
7 system in place and invited ALECs to begin using this program. Two IDS  
8 employees attended the ALEC inforum, and called me to advise of BellSouth's  
9 announcement. I told them we would use it immediately. Because BellSouth  
10 promoted the bulk ordering system at the ALEC inforum and invited ALECs to  
11 begin using it immediately, I understood that BellSouth had a fully functional  
12 bulk ordering system.

13 Q: **DID IDS THEREAFTER ATTEMPT TO USE THE BULK ORDERING**  
14 **SYSTEM TO TRANSFER ITS RESALE CUSTOMERS TO UNE-P?**

15 A: Yes. On Friday afternoon, May 5, 2000, IDS accessed LENS (the network  
16 through which the bulk ordering was made available) and attempted to convert  
17 84 of its resale customers to UNE-P. On the same afternoon, BellSouth issued a  
18 "Firm Order Commitment." My understanding of a Firm Order Commitment is  
19 that BellSouth has received the Local Service Request ("LSR") IDS has  
20 submitted and is in the conversion process. Through comments made by Mike  
21 Lepowski, a BellSouth employee, IDS was further led to believe that everything  
22 went well with this conversion from resale to UNE-P.

1 Q: **WHAT WAS YOUR INITIAL REACTION TO BULK ORDERING?**

2 A: I was extremely pleased. I was particularly excited about the customer data  
3 input screen that the bulk ordering system used, which is known as Activity W.  
4 Prior to being introduced to Activity W, IDS was unable to convert any  
5 customer to UNE-P. Afterwards, IDS used both the Activity W, and the  
6 Activity V. As described below by Ms. Wellman, the difference between  
7 Activity W and Activity V is extraordinary.

8 Q: **DID IDS CONTINUE TO USE THE BULK ORDERING SYSTEM AND**  
9 **ACTIVITY W TO TRANSITION ITS CUSTOMER BASE TO UNE-P?**

10 A: Yes. Because IDS was not aware of any problems, IDS continued to use the  
11 bulk ordering function to attempt to transition its customer base to UNE-P on  
12 Monday, May 8, 2001. Later that day, IDS stopped using the bulk ordering  
13 system because IDS discovered a failure, as a result of a overwhelming number  
14 of customer complaints, with same. This failure caused a great deal of harm to  
15 IDS and IDS's customers. Glenn Estelle, the president of BellSouth's  
16 interconnection services, acknowledged that the problem was caused by  
17 BellSouth, and offered a letter of apology. A copy of Glenn Estelle's letter is  
18 attached hereto as Exhibit "KK/BW-1." BellSouth also demanded that IDS sign  
19 a beta agreement to continue using the bulk ordering function. IDS, being in  
20 dire straits due to its need to satisfy its complaining customers, signed the beta  
21 agreement on or about May 12, 2000, and continued to work with BellSouth's  
22 bulk ordering system. IDS, in late June of 2000, finally transitioned all of its

1 base resale customers to UNE-P using the bulk ordering system. The issues  
2 relating to the failure of the bulk ordering system are discussed in greater detail  
3 in my independent rebuttal testimony.

4 Q: **DID YOU KNOW WHETHER THE PROBLEMS WITH BULK**  
5 **ORDERING WERE A RESULT OF ACTIVITY W?**

6 A: To the best of my knowledge, the problems relating to the bulk ordering system  
7 were in no way caused by the use of Activity W.

8 Q. **MS. WELLMAN, PLEASE EXPLAIN THE ACTIVITY W THAT**  
9 **IS REFERRED TO BY MR. KRAMER.**

10 A. In simple terms, as it is used today, Activity W is a method of  
11 electronically ordering conversions of BellSouth retail or ALEC resale  
12 customers to ALEC UNE-P service. When the person who is going to  
13 input the order enters the "W," this produces two computer screens that  
14 require data entry into nine fields, four of which are pull down menus, to  
15 complete the request.

16 Q. **WHAT IS THE ACTIVITY V MR. KRAMER REFERS TO?**

17 A. Activity V is the electronic ordering method that BellSouth requires  
18 ALECs to use to input electronic customer conversion orders. For an  
19 ALEC to convert a customer using the "V" code, the ALEC is required  
20 to input on the ordering screen detailed information regarding every  
21 service on every telephone line that the customer has, even if there are  
22 not changes to those lines and features. The "V" method also requires

1 the ALEC to manually keystroke in the customer's name and address in a  
2 form that exactly matches that information, including some duplication,  
3 as it appears in the BellSouth data base.

4 Q: **WHICH METHOD IS SIMPLER?**

5 A: Because of its format, the "W" process is much simpler and more foolproof than  
6 the Activity V process.

7 Q. **WHY IS IT SIGNIFICANT THAT THE "W" OFFERS A  
8 SIMPLER ORDERING FORM THAN THE "V"?**

9 A. First, the "W" screens are much quicker and easier to complete. Using  
10 the "V" is a time-consuming process for the ALEC employees. An  
11 example of the disparity between Activity W and Activity V is found in  
12 the video tape attached hereto as Exhibit "KK/BW-2." Second, and  
13 perhaps more importantly, the simpler "W" activity greatly minimizes  
14 the chance of an ALEC entering invalid data. When an ALEC sends a  
15 LSR where the data fields are not completely and accurately filled in, the  
16 request will be returned for clarification and resubmission by the ALEC,  
17 or it will fall out for manual processing by the BellSouth Local Carrier  
18 Service Center ("LCSC"). This adds significant time to the order  
19 completion process. The presence of invalid data on a local service  
20 request is perhaps the single greatest cause of delay in completing ALEC  
21 local service requests and completing the order. The longer it takes to  
22 complete an end user's request to convert service, the greater the risk that

1 the customer will become unhappy, wrongly blame the ALEC, or  
2 perhaps even cancel the order altogether.

3 Q. **HAS BELLSOUTH INFORMED ALECS THAT THEY MAY USE**  
4 **EITHER THE "V" OR THE "W" ACTIVITY WHEN**  
5 **INPUTTING CONVERSION ORDERS?**

6 A. No. Until just days ago, on August 27, 2001, BellSouth had told none of  
7 the ALECs that Activity "W" could be used for ordering individual  
8 customer conversions from BellSouth retail or ALEC resale to ALEC  
9 UNE-P.

10 Q. **MR. KRAMER, IF THAT IS SO, HOW DID IDS LEARN THAT**  
11 **ACTIVITY "W" COULD BE USED FOR ORDERING SINGLE**  
12 **CONVERSIONS?**

13 A. This is basically because of IDS's experience with bulk ordering. After  
14 IDS completed the transition of its resale customer base to UNE-P, in  
15 approximately June 2000, BellSouth notified IDS that the bulk ordering  
16 function would no longer be available. This was a concern to me  
17 because I realized the tremendous value of the Activity W function and  
18 because I knew that Activity W would be needed to convert BellSouth  
19 retail customers which IDS acquired to UNE-P. As soon as I heard of  
20 this, I instructed Bradford Hamilton, an IDS employee, to access the  
21 LENS network and determine whether Activity W was still available.  
22 Mr. Hamilton confirmed that BellSouth had taken away the bulk

1 ordering capability, however, he advised that the Activity W screen was  
2 still available. Mr. Hamilton also discovered that single order  
3 conversions to UNE-P were still possible using the Activity W function.

4 Q. **DO OTHER ALECs EVEN KNOW ABOUT THE "W"?**

5 A. IDS does not know of any other ALEC that was aware of Activity W  
6 until BellSouth addressed it in a Carrier Notification letter on August 27,  
7 2001. That is because BellSouth pulled the bulk ordering process from  
8 ALEC use on May 8, 2000, when it was determined to be a huge failure.

9 Q. **IF THE BULK ORDERING PROCESS IS NO LONGER**  
10 **AVAILABLE, HOW IS IT THAT THE "W" REMAINS**  
11 **AVAILABLE FOR USE?**

12 A. BellSouth simply has never removed the "W" capability.

13 Q. **MS. WELLMAN, DID BELLSOUTH REQUEST THAT IDS STOP**  
14 **USING ACTIVITY W?**

15 A. In December 2000 and again in June 2001, the BellSouth customer  
16 support manager that works with IDS informed me that Activity W was  
17 considered by BellSouth to be a "defect" and requested that IDS  
18 discontinue its use of Activity W.

19 Q: **MR. KRAMER, DO YOU HAVE ANY DOUBT THAT**  
20 **BELLSOUTH WAS AWARE THAT ACTIVITY W COULD BE**  
21 **USED TO CONVERT A BELLSOUTH RETAIL CUSTOMER TO**  
22 **UNE-P?**

1 A: There is no question that BellSouth knew was in fact aware that IDS was  
2 using Activity W to successfully transfer BellSouth retail customers to  
3 UNE-P. Otherwise, there would have been no reason for BellSouth to  
4 call IDS twice to request that IDS "stop" using Activity W for that  
5 purpose.

6 Q. **MS. WELLMAN, BELLSOUTH WITNESS MR. AINSWORTH**  
7 **STATES, AT PAGE 10, LINES 13-16 OF HIS REBUTTAL PANEL**  
8 **TESTIMONY, THAT THE "W" ACTIVITY "WAS NEVER**  
9 **INTENDED TO BE USED FOR THE CONVERSION FROM A**  
10 **SINGLE RESALE OR RETAIL ACCOUNT TO UNE-P." DO**  
11 **YOU THINK THAT IS A VALID REASON TO WITHHOLD THE**  
12 **SUPERIOR "W" ACTIVITY FROM ALECs?**

13 A. Of course not. BellSouth intended for Activity W to be used in  
14 conjunction with the bulk ordering process, as detailed in Ms. Burr's  
15 deposition testimony, and was designed for the conversion of accounts  
16 from resale to UNE-P. *See* Burr deposition excerpt, attached hereto as  
17 Exhibit "KK/BW-3." There is no logical reason why Activity W would  
18 be appropriate for use with bulk conversion orders but not for single  
19 orders.

20 Q. **YOU HAVE REFERRED TO A BELLSOUTH CARRIER**  
21 **NOTIFICATION LETTER RELEASED ON AUGUST 27, 2001**  
22 **REGARDING ACTIVITY W. DOES IT STATE THAT**

1           **BELLSOUTH IS FINALLY PERMITTING THE ALECS TO USE**  
2           **ACTIVITY W?**

3    A.    Not exactly. The Carrier Notification Letter, which I have attached  
4           hereto as Exhibit "KK/BW-4," states that "BellSouth has taken the use of  
5           this ordering process under advisement to determine whether this can be  
6           accepted for general use." Even though IDS has successfully used  
7           Activity W since last year, and BellSouth is aware of that (it asked IDS  
8           to stop using the "W" back in December 2000), the Carrier Notification  
9           letter states that Activity W has not been tested. The letter goes on to  
10          say that the use "of 'W' is not endorsed by BellSouth" and any use by  
11          ALECs "will be at the risk of the ALEC." Therefore, although BellSouth  
12          advises the ALEC community of the existence of "W," it certainly  
13          discouraged its use.

14   Q:   **HAS IDS EXPERIENCED ANY "DEFECTS" OR OTHER**  
15          **MALFUNCTIONS SPECIFIC TO ITS USE OF ACTIVITY "W"?**

16   A:    Initially, if there was an embedded error on the Customer Service Request  
17          ("CSR") which caused the LSR to drop to the LCSC, IDS received a  
18          clarification to fix the error. IDS took the position that CSR errors were cause  
19          because BellSouth maintained incorrect records. BellSouth agreed to correct  
20          and submit corrected orders. After reaching that understanding, IDS's  
21          experience with the use of the "W" code has been very positive.

1 Q. MS. WELLMAN, PLEASE SUMMARIZE YOUR TESTIMONY  
2 REGARDING BELL SOUTH'S WITHHOLDING FROM ALECS  
3 THE ABILITY TO USE ACTIVITY "W" TO ORDER  
4 CONVERSIONS FROM RESALE TO UNE-P.

5 A. BellSouth has had a better, simpler and more efficient method for  
6 ordering conversions from resale to UNE-P that all ALECs could have  
7 been using to submit their orders. Instead, BellSouth has required  
8 ALECs to use a more complicated and error-prone method. If BellSouth  
9 really wanted to promote and facilitate competition in the local market, it  
10 would have made the "W" available from the outset.

11 Q: DOES THIS CONCLUDE YOUR TESTIMONY REGARDING  
12 ACTIVITY W, MS. WELLMAN?

13 A: Yes.

14 Q: DOES THIS CONCLUDE YOUR TESTIMONY REGARDING  
15 ACTIVITY W , MR. KRAMER?

16 A: Yes.



4511 BellSouth Center  
675 West Peachtree Street, N.E.  
Atlanta, Georgia 30375

Phone: 404 927-7020  
Fax: 404 521-2311

Glen Estell  
President - Interconnection Services

May 17, 2000

Mr. Joe Millstone, CEO  
IDS Telcom  
1525 Northwest 167<sup>th</sup> Street, Suite 200  
Miami, FL 33169

Dear Mr. Millstone:

Mr. Ackerman asked me to respond to your letter of May 12, 2000. Also, this will confirm our conference call discussion of May 15, 2000.

IDS experienced many problems when placing a large quantity of end user orders during the week of May 8, 2000. As you know, IDS utilized new functionality within a BellSouth software program to submit these orders. Unfortunately, BellSouth's mechanized systems experienced software problems that were not detected in the standard development and implementation process utilized by BellSouth when bringing new functions up for commercial use. The problems with the programs were discovered when IDS' orders completed through the system.

We regret that this situation occurred and hope that we can work through this issue and prevent any such difficulties with IDS orders in the future.

Please accept BellSouth's apologies and share them with any IDS customer whose service may have been affected during the past several days.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Estell", written over a horizontal line.

Glen Estell  
President, BellSouth - Interconnection Services

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION{PRIVATE }  
STATE OF FLORIDA

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 In the Matter of: :  
 : Docket No.  
 COMPLAINT OF IDS LONG DISTANCE, : 010740-TP  
 INC. n/k/a IDS TELCOM, LLC, AGAINST:  
 BELLSOUTH TELECOMMUNICATIONS, INC. :  
 AND REQUEST FOR EMERGENCY RELIEF :  
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The deposition of GLORIA BURR, taken in the  
offices of BellSouth, 675 W. Peachtree Street, Atlanta,  
Georgia 30375, commencing at approximately 9:01 a.m.,  
before William L. Warren, Court Reporter.

{GB082101:1}

Brandenburg & Hasty  
(770) 474-1740

Docket No. 010740-TP  
Exhibit \_\_\_\_\_ (KK/BW-3)  
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1 Q Yeah.

2 A It means that you would have several accounts that  
3 are submitted simultaneously.

4 Q Is there, to your knowledge, some definition of  
5 what number of accounts fits under that term?

6 A No.

7 Q Where would you find that out if you were trying  
8 to find out what bulk means in terms of the number of  
9 accounts that could be used?

10 A I would say the LENS user guide probably.

11 Q Would you expect that there would be a specific  
12 number -- range of numbers that would fit within bulk?

13 A Yes.

14 Q Could bulk include one?

15 A We tested in my group with a bulk of one, yes.

16 Q You did do that?

17 A Yes.

18 Q Okay. Would it have gone up maybe to 200 or do  
19 you have any idea?

20 A I know that it's a large number.

21 Q Okay. But you don't remember exactly?

22 A Huh-uh.

23 Q You -- when you were telling me about your career  
24 and your prior positions you were talking about being -- or  
25 dealing with Alisha Van Arsdale, who was a representative of

(GB082101;1)

Brandenburg & Hasty  
(770) 474-1740

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Docket No. 010740-TP  
Exhibit \_\_\_\_\_ (KK/BW-3)  
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**BellSouth Interconnection Services**

675 West Peachtree Street  
Atlanta, Georgia 30375

**Carrier Notification  
SN91082588**

Date: August 27, 2001

To: Competitive Local Exchange Carriers (CLECs)

Subject: CLECs – Misuse of the Local Exchange Navigation System (LENS) Ordering Systems

BellSouth has observed that some wholesale CLEC customers have been utilizing the LENS ordering feature, ACT of W, Switch as Is, for the purpose of submitting requests for conversion of a single resale or BellSouth retail account to Unbundled Network Elements – Platform (UNE-P). This practice currently conflicts with the BellSouth Business Rules regarding the conversion of a single resale or retail account to UNE-P. The ACT of W, Switch as Is, LENS ordering Resale/Retail-to-UNE-P conversion process was not designed for the purpose of submitting requests for conversion of single accounts when changing class of service from Resale/Retail (flat rate) to UNE-P (measured rate).

However, BellSouth has taken the use of this ordering process under advisement to determine whether this can be accepted for general use. At present, BellSouth is developing a testing plan to ensure that its use will work in a consistent and predictable manner and will cause no billing or provisioning issues.

There is currently no system edit to prevent the use of this ordering process, the use is not yet endorsed by BellSouth, and the use is not compatible with, at a minimum, retail or resale accounts with Digital Subscriber Line (DSL) service or any grandfathered service. Any use of the Resale/Retail-to-UNE-P conversion process for single orders will be at the risk of the CLEC.

Neither a CLEC nor BellSouth has presented a proposal to Change Control to change the current Business Rules to allow the use of Act of W when changing class of service for the purpose of conversions from Retail/Resale to UNE-P. However, BellSouth will present this option at the earliest possible Change Control meeting.

Thank you for your assistance and cooperation.

Sincerely,

**ORIGINAL SIGNED BY JIM BRINKLEY**

Jim Brinkley – Senior Director  
BellSouth Interconnection Services