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1 BELLSOUTH TELECOMMUNICATIONS, INC.
2 REBUTTAL TESTIMONY OF ALPHONSO J. VARNER
3 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
4 FILED JANUARY 7, 2004
5 DOCKET NO. 030851-TP

6
7 Q. PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH
8 TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS
9 ADDRESS.

10
11 A. My name is Alphonso J. Varner. I am employed by BellSouth as Assistant
12 Vice President in Interconnection Services. My business address is 675
13 West Peachtree Street, Atlanta, Georgia 30375.

14
15 Q. ARE YOU THE SAME ALPHONSO J. VARNER WHO FILED DIRECT
16 TESTIMONY IN THIS PROCEEDING?

17
18 A. Yes I am.

19
20 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

21
22 A. My Rebuttal Testimony addresses various performance related issues
23 raised by the MCI witnesses James Webber and Sherri Lichtenberg and
24 AT&T witness Mark David Van De Water.

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1 Q. MR. WEBBER, ON PAGE 29 OF HIS TESTIMONY, STATES THAT
2 BATCH HOT CUTS, BECAUSE THEY ARE PROJECT-MANAGED, "ARE
3 NOT USUALLY TRACKED FOR PERFORMANCE MEASUREMENT
4 PURPOSES." IS HE RIGHT?

5

6 A. No. Mr. Webber is overly broad in his statement. As I pointed out in my
7 Direct Testimony, page 40 lines 24 – 25, the exclusion for project-
8 managed requests applies to certain Pre-Ordering and Ordering measures
9 and, because projects have non-standard installation intervals, the
10 average completion interval measure (P-4). Batch hot cuts are not
11 excluded, however, from Provisioning, Maintenance & Repair or other
12 measurement domains. Moreover, as already discussed in my Direct as
13 well, BellSouth has a comprehensive set of provisioning measures
14 dedicated to hot cuts, which includes batch conversions. These measures
15 are: (1) P-7: *Coordinated Customer Conversions Interval*; (2) P-7A:
16 *Coordinated Customer Conversions – Hot Cut Timeliness % Within*
17 *Interval and Average Interval*; (3) P-7B: *Coordinated Customer*
18 *Conversions – Average Recovery Time*; and (4) P-7C: *Hot Cut*
19 *Conversions - % Provisioning Troubles Received 7 Days of a Completed*
20 *Service Order.*

21

22 The only instance where batch hot cuts would not show up in these
23 measures is for those cases where CLECs choose to order non-
24 coordinated batch hot cuts. For measures P-7, P-7A and P-7B, non-
25 coordinated conversion should not be included because these metrics are

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1 specified as measures of coordinated customer conversions. However,
2 non-coordinated cutovers averaged less than 3% of total customer
3 conversions (hot cuts) over the 12-month period from September 2002 to
4 August 2003. This point notwithstanding, BellSouth proposed, in its Direct
5 Filing, to add a new Provisioning measure P-7E, *Non-Coordinated*
6 *Customer Conversions - % Completed and Notified on Due Date*, to
7 capture whether BellSouth completes the non-coordinated customer
8 conversions on the due date and provides notification of completion to the
9 CLEC on the same date.

10

11 Further, with respect to the Pre-Ordering process, BellSouth proposed, in
12 its Direct filing, adding a new measure, PO-3, *UNE Bulk Migration –*
13 *Response Time*, if it receives unbundled switching relief. This measure
14 would address the activities related to batch hot cuts prior to the creation
15 of a Local Service Request (LSR). With respect to the process involved
16 once an LSR has been issued but before the provisioning process begins,
17 BellSouth proposed changes to the Ordering measures that previously did
18 not include batch hot cuts. This change involves removing the exclusion
19 for those project-managed requests that involve batch hot cuts.
20 Specifically, BellSouth proposed including batch hot cuts in the four
21 Ordering measures, which do not currently capture project-managed
22 orders. These Ordering measures are: O-7, Percent Rejected Service
23 Requests; O-8, Reject Interval; O-9, Firm Order Confirmation Timeliness;
24 and, O-11, Firm Order Confirmation and Reject Response Completeness.

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1 Therefore, Mr. Webber's comments are incorrect as applied to many
2 relevant existing performance measures and, with respect to the limited
3 cases where his comments are correct BellSouth has already
4 recommended changes to make sure these aspects of the batch hot cut
5 process are captured in the data.

6

7 Q. MR. WEBBER SPECULATES ON PAGE 55 THAT EVEN IF CLECS
8 WERE TO OBTAIN COLLOCATION, "IT IS NOT UNCOMMON TO
9 EXPERIENCE SIGNIFICANT DELAYS" IN GAINING ACCESS TO IT. IS
10 HE RIGHT?

11

12 A. No, and the lack of evidence corroborating his allegation should highlight
13 its frivolous nature. The aggregate CLEC collocation performance results
14 provided in my Direct Testimony demonstrate an excellent track record by
15 BellSouth over the entire twelve-month period reported. Specifically,
16 BellSouth met 100% of collocation due dates from September 2002
17 through August 2003, which includes MCI. If we look at MCI's results
18 specifically, for the last four months (July – October 2003), the data show
19 that MCI had [***Proprietary***] requests for collocation space, all of which
20 BellSouth completed on schedule.

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1 Q. MR. WEBBER, ON PAGE 60 OF HIS TESTIMONY, CONTENDS THAT
2 THE INDUSTRY "DOES NOT HAVE MUCH EXPERIENCE WITH EELS
3 USED TO SUPPORT DS0-BASED SERVICES." HOW DO YOU
4 RESPOND?

5
6 A. BellSouth provides services and measures its associated performance
7 levels with respect to EELs according to what the CLECs order - whether
8 DS-0, DS-1 or DS-3 loops. Over the last six months, from May 2003
9 through October 2003, over 96% of the CLECs orders for EELs were at
10 the DS1 level (from 171 to 221 circuits). BellSouth has plenty of
11 experience with EELs and even more experience with DS0 services.
12 There is nothing so complex about combining the two that would cause
13 CLECs to become impaired. Indeed, if they prefer to order DS0 EELs
14 rather than DS1 Or DS3 the process is in place to accommodate the
15 orders and to monitor BellSouth performance in meeting established
16 Commission established standards.

17
18 Q. ON PAGE 25, MS. LICHTENTBERG ALLEGES, WITHOUT SUPPORT,
19 THAT BECAUSE BELLSOUTH'S HOT CUT PROCESS IS MANUAL, IT
20 "OFTEN RESULT[S] IN ERRORS AND DELAYS." DOES THE DATA
21 SUPPORT HER POSITION?

22
23 A. No. Ms. Lichtenberg's uncorroborated position is directly contrary to the
24 actual data. As discussed in my Direct Testimony (page 33, line 15 –
25 Page 34, line 3), if we look at the three primary hot cut measurements in

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1 Florida (Coordinated Customer Conversions, Hot Cut Timeliness, and
2 Provisioning Troubles within 7 days of Cutover), BellSouth achieved the
3 established standard on 96% of the sub-metrics over the twelve-month
4 period provided (September 2002 to August 2003). Also, as reported in
5 my Direct Testimony (page 35 line 7), if performance is based on the
6 actual number of coordinated customer conversions meeting the
7 benchmark, BellSouth met the benchmark for 99.9% of the conversions.
8 Ms. Lichtenberg's unsubstantiated anecdotal comments should not be
9 considered in light of this data.

10

11 Q. IS MS. LICHTENBERG'S CHARACTERIZATION (ON PAGES 35-36) OF
12 INCREASED OUT OF SERVICE TIMES AND CUSTOMER HARM FOR
13 TROUBLES IN A UNE-L ENVIRONMENT ACCURATE?

14

15 A. No, again the data refutes Ms. Lichtenberg's claim. Ms. Lichtenberg is
16 only accurate in stating that the major difference between UNE-L and
17 UNE-P is the owner of the switch. However, she greatly exaggerates the
18 expected impact on the handling of trouble reports in the UNE-L
19 environment. Ms. Lichtenberg stresses the fact that in the UNE-P
20 environment, "the ILEC is fully responsible for making repairs to the switch
21 and network" (page 35, lines 13 – 15), and that under the UNE-P
22 arrangement "the CLEC is responsible for its switch, collocation space and
23 transport" (page 35, lines 11 – 12). Most of the discussion includes
24 complaints about the work that the CLEC would have to do in the UNE-L
25 environment. Apparently, Ms. Lichtenberg would rather make BellSouth

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1 "fully responsible" for handling trouble reports, and relieve the CLEC of
2 any meaningful responsibility to its own customers.

3
4 When a trouble is reported for UNE-P lines, the CLEC must first determine
5 whether the trouble should be referred to BellSouth. Of course, since the
6 CLEC is simply reselling BellSouth's network with UNE-P the CLEC
7 simply passes on the physical troubles to BellSouth. Of course, BellSouth
8 has to 'sectionalize' the trouble just as the CLEC would under UNE-L,
9 determine whether the problem is in the switch, frame, loop etc., and also
10 whether a dispatch is necessary. By contrast, if the CLEC's customer is
11 served on UNE-L, the CLEC can isolate and fix any troubles that are in its
12 switch collocation space or transport, and BellSouth can concentrate on
13 determining if there are any problems in the loop. Therefore, if the CLEC
14 does a good job upfront eliminating the switch as the cause of the trouble,
15 BellSouth can concentrate on the loop. In these cases, the time that it
16 takes BellSouth to find and correct the problem would decrease instead of
17 increase. The issue of the time interval would be more under the control
18 of the CLEC in how long it takes to eliminate the switch as the source of
19 the problem. Given the uneasiness and constant complaining that CLECs
20 express concerning the level of service that BellSouth provides, it is
21 baffling that CLECs would not want to avail themselves of this opportunity
22 to give their customers a better level of service than they claim BellSouth
23 provides.

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1 Ms. Lichtenberg's argument that if the CLEC is responsible for part of the
2 trouble identification and resolution process the interval would be
3 increased because of 'finger pointing' exercises is merely a supposition. I
4 should add that this supposition is only valid if the CLEC does a poor job
5 of isolation. Surely the mere possibility of certain administrative issues or
6 predictions of poor performance by CLECs are no bases for labeling the
7 process as a source of impairment for CLECs.

8

9 Q. HOW IS BELLSOUTH'S PERFORMANCE FOR MAINTENANCE AND
10 REPAIR FOR UNE-L LOOPS COMPARED TO UNE-P?

11

12 A. The following tables compare the Customer Trouble Report Rate (CTRR)
13 and Maintenance Average Duration (MAD) interval for UNE-P and 2W
14 Analog Non-Design Loop -SL1 (representative of UNE-L) sub-metrics in
15 Florida for January through August 2003. CTRR and MAD are used
16 because they are considered two of the major indicators of performance in
17 the M & R environment.

18

Comparison of CLEC Customer Trouble Report Rates for UNE-P and SL1		
<u>Month</u>	<u>CLEC UNE-P</u>	<u>CLEC SL1</u>
January 2003	1.51%	1.08%
February 2003	1.43%	0.95%
March 2003	1.72%	1.10%
April 2003	1.64%	1.07%
May 2003	1.84%	1.17%
June 2003	2.00%	1.43%
July 2003	1.98%	1.18%
August 2003	2.15%	1.41%

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Comparison of CLEC Maintenance Average Duration Intervals for UNE-P and SL1		
<u>Month</u>	<u>CLEC UNE-P</u>	<u>CLEC SL1</u>
January 2003	11.22 hours	11.43 hours
February 2003	10.96 hours	10.85 hours
March 2003	14.33 hours	12.51 hours
April 2003	13.02 hours	12.80 hours
May 2003	14.58 hours	13.06 hours
June 2003	16.88 hours	15.92 hours
July 2003	17.29 hours	14.74 hours
August 2003	18.45 hours	14.91 hours

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Based on these results, the current environment shows that UNE-L maintenance and repair results are actually better than UNE-P. Granted, the UNE-L volumes are not as significant as they will be if UNE-P is no longer available; however, there is no reason to believe that the increase in volume would suddenly make UNE-L performance decline substantially. In fact, the increased volume may actually improve the level of performance due to more repetition. But, the important point derived from the current data is that any claims that maintenance and repair performance will deteriorate to an unsatisfactory level based on conversions from UNE-P to UNE-L is pure speculation.

Q. ON PAGES 8 AND 9, MR. VAN DE WATER ALLEGES "SUBSTANDARD PERFORMANCE IN RETURNING TIMELY FIRM ORDER CONFIRMATIONS", AND OTHER FAILURES RELATED TO THE SCHEDULING OF HOT CUTS AND "ERRONEOUS DISCONNECTION OF END USERS' LINES", AND "UNDUE DELAY IN RECONNECTION." DO THESE ALLEGATIONS HAVE ANY MERIT?

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1 A. No. Much of Mr. Van De Water's assertions are conjecture,
2 mischaracterizations or distortions of facts. Mr. Van De Water provides
3 little or no specifics with his rhetoric. Nevertheless, I will attempt to
4 respond to these issues in order. Where Mr. Van De Water alleges that
5 there are delays in returning Firm Order Confirmations, the facts tell a
6 completely different story. As noted on page 16 of my Direct Testimony,
7 for the 12-month period September 2002 to August 2003, over 92% of the
8 LSRs for UNE Loop Orders (which include hot cuts orders) received a
9 Firm Order Confirmation (FOC) within the intervals established by this
10 Commission. For AT&T alone, for the period June through August 2003,
11 the same percentage (92%) of AT&T's LSRs received a FOC within the
12 intervals established by this Commission. Furthermore, the average FOC
13 interval for AT&T's LSRs was slightly more than 3 hours for June through
14 August 2003. This average was for all LSRs including those processed
15 electronically (where the Commission standard is 3 hours) and those
16 processed manually, where the Commission standard ranges from 10 to
17 24 hours.

18
19 In response to Mr. Van De Water's belief that BellSouth has not provided
20 a 'reliable schedule for performing hot cuts' this belief is, once again, not
21 supported by the facts. Referring to paragraph 16, Exhibit AJV-1, of my
22 Direct Testimony, for the 12 month period September 2002 through
23 August 2003, 99.8% of the scheduled Hot Cuts were started within 15
24 minutes of the requested time on the order. In stark contrast to Mr. Van
25 De Water's unsupported and unsubstantiated allegation, this is conclusive

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1 evidence of near perfection in reliable scheduling.

2

3 Mr. Van De Water opines in unsupported rhetoric about BellSouth's failure
4 to notify "consistently and timely that customer loops had been transferred
5 to AT&T." Once again, the facts clearly illustrate that Mr. Van De Water's
6 opinion is flawed. Referring to my direct testimony, page 21, BellSouth
7 achieved the performance standard for the Average Completion Notice
8 Interval for 98% of the sub-metrics (which include hot cut orders) over a
9 12-month period, ending August 2003. Furthermore, a separate analysis
10 of the Completion Notice Interval indicates that the average completion
11 notice interval was less than 8 minutes for UNE Loop Orders (including
12 hot cuts) completed during the most recent 12-month period, November
13 2002 to October 2003. That would indicate that BellSouth's completion
14 notices are, in fact, consistent and timely. For AT&T, the average
15 completion notice interval was less than 2 minutes for the period June
16 through August 2003.

17

18 Lastly on page 9, Mr. Van De Water theorizes that BellSouth creates
19 "customer service outages by erroneous disconnection of end users' lines
20 and, when erroneous disconnections occur, there is undue delay in
21 reconnection." While BellSouth's data does not readily provide the
22 number of customer outages caused specifically by erroneous
23 disconnection of end user's lines, outages caused by erroneous
24 disconnection of end user's lines, should this actually occur, are reflected
25 in several measurements. As an example, the Customer Trouble Report

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1 Rate captures all troubles and it includes service outages as well as
2 troubles that do not put a customer out of service. As noted on page 25 of
3 my Direct Testimony, for the 12-month period September 2002 to August
4 2003, UNE Loops experienced more than 97% trouble free service.
5 (Troubles related to Hot Cuts would be in this category) compared to 98%
6 for UNE-P. In the event Mr. Van De Water is alleging that the 'erroneous
7 disconnects' occur as the customer's line is being cut over from BellSouth
8 retail to the CLEC, those troubles would be captured in Trouble Report
9 Rate for BellSouth Retail, mostly in Residence or Business. For the most
10 recent 12-month period, November 2002 through October 2003, the
11 trouble free rate for these retail lines is also in excess of 97%. For AT&T,
12 BellSouth's performance is even more exemplary of excellent service. For
13 the period June through August 2003, AT&T's lines were in excess of 99%
14 trouble free. In summary, the facts do not support Mr. Van De Water's
15 implication that there are significant "erroneous disconnections."

16
17 As to Mr. Van De Water's opinion that there is "undue delay in
18 reconnection," once again, the facts portray a completely different picture.
19 The time required to clear a trouble report is reflected in the Maintenance
20 Average Duration metric for all services, and, where a trouble is
21 encountered during a hot cut, the time required to clear the trouble is also
22 reported in the measurement Coordinated Customer Conversions –
23 Average Recovery Time. It is important to note that these two
24 measurements reflect the time to clear troubles, many of which are not
25 service outages but simply problems that do not put the end user

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1 completely out of service. For the first measurement, Maintenance
2 Average Duration, BellSouth achieved the Commission's performance
3 standard of parity for 88% of the time during the 12-month period
4 September 2002 through August 2003. Moreover, the average time to
5 clear the trouble was 9.7 hours for the most recent 12-month period. As
6 noted above, the trouble free rate for AT&T exceeded 99% for the period
7 June through August 2003. This meant that less than 1% of AT&T's loops
8 experienced a trouble report. The average time to clear these few
9 troubles was 4 hours.

10
11 For the second measurement, Coordinated Customer Conversions –
12 Average Recovery Time, the average time to clear a trouble was 4.2 hours
13 for the three-month period June 2003 to August 2003. This is well below
14 the Commission's objective of 5 hours.

15
16 Q. WHAT HAS BEEN BELL SOUTH'S PERFORMANCE FOR THE THREE
17 LNP DISCONNECT TIMELINESS MEASURES FOR THE PAST SIX
18 MONTHS IN FLORIDA?

19
20 A. The following table provides the results for P-13B, the percentage of time
21 BellSouth applies the trigger order before the due date; P-13C, the
22 percentage of time the LNP service is out of service less than 60 minutes;
23 and P-13D, the percentage of time BellSouth disconnects the LNP service
24 within 4 hours for non-trigger orders for the months of May through
25 October 2003 in Florida. The non-trigger orders have been adjusted to

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1 exclude orders that did not have a completion time stamp within the
2 gateway. (The data shows the number of orders meeting the requirement
3 divided by the total orders due and the corresponding percentage
4 calculated.)
5

Month	% Trigger Orders Applied Before Due Date (P13B)	% Orders OoS < 60 Minutes (P13C)	% Non Trigger Orders Applies < 4 Hours (P13D)
May 2003	(3829/4379) 87.44%	(5866/5897) 99.47%	(418/445) 93.93%
June 2003	(3719/3988) 93.25%	(6915/6923) 99.88%	(385/463) 83.15%
July 2003	(3953/4187) 94.41%	(6317/6319) 99.97%	(589/634) 92.90%
August 2003	(3634/3838) 94.68%	(4274/4309) 99.21%	(377/411) 91.73%
September 2003	(3921/4098) 95.68%	(6918/6988) 99.00%	(124/147) 84.35%
October 2003	(4614/4786) 96.42%	(6858/6859) 99.99%	(299/332) 90.06%

6
7 Q. ON PAGES 15 AND 16 OF HIS TESTIMONY, MR. VAN DE WATER
8 CITES SEVERAL FIGURES THAT PURPORT TO ILLUSTRATE THE
9 DIFFERENCES IN THE ORDER INTERVAL FOR UNE-P ORDERS
10 VERSUS UNE-L ORDERS. WHAT IS THE RELEVANCE OF THIS
11 DIFFERENCE IN THIS PROCEEDING?

12
13 A. It has no relevance. Mr. Van De Water is simply noting that the average
14 time interval required to complete UNE-P orders, which are predominantly
15 orders requiring a records change only, and no physical work, is less than
16 the average time interval required to complete UNE-L orders where some
17 form of physical work is required. This revelation will come as no new
18 news to anyone. The important point is to examine how BellSouth
19 performs relative to the standards established by this Commission for

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1 these two different functions. As the data show in my Direct Testimony,
2 BellSouth performs quite well.

3

4 Q. ARE MR. VAN DE WATER'S COMPARISONS AND CONCLUSIONS
5 VALID?

6

7 A. No. First, his claimed impact on the CLEC is minimal at best. The interval
8 that Mr. Van De Water refers to simply reflects how far in advance the
9 CLEC must place the order. The customer still has service during this
10 interval. So, the only impact is apparently on the CLECs need to plan and
11 sequence the orders. I should also point out that this same interval would
12 apply to any customers that BellSouth wins back from the CLEC, and, of
13 course, all CLECs face the same interval from BellSouth.

14

15 Next, the most basic flaw of his analysis is that it attempts to equate two
16 different products and processes. An order for UNE-P has typically
17 involved little more than changing the billing of an existing end-user from
18 BellSouth retail (or from another CLEC) to the acquiring CLEC. In this
19 instance, no physical work is required, an outside dispatch is not needed
20 and the order is not subject to facility shortages. In contrast a UNE-L
21 order will always require some form of physical work, in the central office,
22 at the customer's premise, or both. A dispatch may be needed and the
23 order interval can be affected by facility shortages. As a result of these
24 two different processes, the applicable ordering intervals will usually differ.

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1 Further, Mr. Van De Water includes in the chart on page 15 of his
2 testimony the provisioning Interval for Switch based Completions, the
3 shortest interval reflected. This is apparently to show a large difference is
4 the time for UNE-P and UNE-L completion intervals. However, the Switch
5 based Completions are nothing more than a request for a feature change.
6 Moreover, once the hot cut is complete, CLECs don't even need to send in
7 these orders because they can make the changes themselves. Mr. Van
8 De Water does not acknowledge this, or any other benefits that accrue to
9 the CLEC from moving to UNE-L. Surely, these benefits offset the
10 nebulous impact that he claims the provisioning interval for UNE-L causes.

11

12 Q. YOU MENTION THAT THE ORDER INTERVALS WILL "USUALLY
13 DIFFER." ARE THERE INSTANCES WHEN THE INTERVALS WOULD
14 NOT DIFFER?

15

16 A. Yes. Depending on the marketing and business plans of the CLECs, the
17 order intervals for UNE-P could be the same as UNE-L. If a CLEC
18 acquires a customer and intends to serve that customer with a newly
19 provisioned UNE-P (rather than migrating existing services), the
20 processes, physical work, potential for a dispatch, possibility of a facility
21 shortage and the resulting order interval would be the same as with UNE-
22 L. Similarly, if a CLEC's customer served by UNE-P wishes to add a
23 second line, the work process and the resulting interval would resemble a
24 UNE-L. For instance, for the most recent 12-month period, the Order
25 Completion Interval for UNE-P requiring a Dispatch was 3.9 days. In

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1 comparison, the Order Completion Interval for 2W Analog Loop Non
2 Design, with and without LNP was essentially the same at 4.0 days.

3

4 Mr. Van De Water's analysis is predicated on the ordering patterns of the
5 CLECs today. And today, most UNE-P orders are simply migrations of
6 existing service, which, again, requires a records change rather than
7 physical work and a dispatch.

8

9 Q. ON PAGE 16, LINES 12-14, MR. VAN DE WATER CITES SERVICE
10 OUTAGES DURING A HOT CUT RANGING FROM 2.8 HOURS TO 13.6
11 HOURS. PLEASE COMMENT.

12

13 A. While Mr. Van De Water's figures are accurate, he conveniently ignores
14 the key fact that these outages occurred on less than 1% of the
15 coordinated conversions, which is well within the Commission's
16 benchmark of 3% for Provisioning Troubles. Between November 2002
17 and September 2003, the period cited by Mr. Van De Water, there were
18 20,129 Coordinated Customer Conversions. During this period, there
19 were 187 troubles reported and the average recovery time for these
20 trouble reports was in the range cited by Mr. Van De Water. Thus 0.9%
21 (187 / 20129) of the hot cuts had a trouble report. Mr. Van De Water's
22 generalizations overstate the customer impact from a number of
23 perspectives. First, as noted above, less than 1% of the coordinated
24 conversions experienced a trouble report. Secondly, the actual impact on
25 the customer could have been even less, mainly because some of the 187

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1 trouble reports may have been subsequently determined to not have an
2 actual trouble caused by BellSouth.

3

4 Q. ON PAGE 17, MR. VAN DE WATER HAS A TABLE THAT HE
5 CONTENDS ILLUSTRATES 'INFERIOR PERFORMANCE' FOR
6 ANALOG LOOPS COMPARED TO UNE-P. SIMILARLY, MS.
7 LICHTENBERG ALLEGES THAT A UNE-L MIGRATION "TAKES AT
8 LEAST FIVE DAYS." DO THESE DATA RESULTS TRULY REPRESENT
9 INFERIOR PERFORMANCE AS ALLEGED BY MR. VAN DE WATER
10 AND MS. LICHTENBERG?

11

12 A. Certainly not. Once again, this is an invalid comparison. As I mentioned
13 above, these data simply represent that the two services are ordered and
14 provisioned differently. For the most part UNE-L data reflects data for new
15 service while UNE-P data is largely migration of existing service.
16 Consequently, these differences are more a reflection of the ordering
17 patterns and business practices of the CLECs, rather than an indicator of
18 inferior performance as Mr. Van De Water erroneously represents, and
19 Ms. Lichtenberg implies. As an example, because most UNE-P orders are
20 migrations of existing working service, there should be fewer orders
21 placed in jeopardy, less orders requiring a field visit and a shorter order
22 completion interval than an order for a new UNE Loop. As more existing
23 in-service loops are used for UNE-L the same conditions that apply to
24 such loops today when used as UNE-P would also apply tomorrow for
25 loops used as UNE-L.

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1 Q. ARE MR. VAN DE WATER'S COMPARISONS OF UNE-P AND UNE
2 LOOP PERFORMANCE CONSISTENT WITH THIS COMMISSION'S
3 RULINGS IN THE PERFORMANCE MEASUREMENTS
4 PROCEEDINGS?

5

6 A. No. Throughout his testimony, Mr. Van De Water is implying that UNE
7 Loop performance is inferior or flawed, based on a theory that it should
8 somehow be compared to UNE-P. This Commission (and every other
9 Commission in BellSouth's region as well as the FCC in BellSouth's 271
10 applications) has determined that the performance for UNE-P and UNE
11 Loop should be compared to a retail analog, where one is appropriate, or
12 a benchmark if one does not exist. These performance standards take
13 into account differences in the products and the processes, and, to a large
14 degree remove the influence of the CLEC's ordering patterns and
15 business plans on BellSouth's performance results. As an example, for a
16 typical ordering measurement, *e.g.*, the Firm Order Confirmation
17 Timeliness, all orders placed and processed electronically should be
18 evaluated against a standard for Fully Mechanized FOCs. The
19 Commission determined that this standard should be 95% of FOCs
20 returned within 3 hours. However, the first line on Mr. Van De Water's
21 table on Page 17 attempts to compare FOCs for UNE-P against FOCs for
22 UNE-L. The Commission has determined that the proper comparison is
23 against the performance standard, which for Fully Mechanized FOCs is
24 95% within 3 hours. For the most recent 12-month period, more than 95%
25 of the Fully Mechanized UNE-P orders and more than 95% of the Fully

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1 Mechanized Analog Loop Orders (with and without LNP) were processed
2 within the 3-hour Commission standard.

3

4 Turning to flow through results on the Table no page 17, Mr. Van De
5 Water has misinterpreted some data and misrepresented it as % flow
6 through. The rebuttal testimony of Mr. Pate addresses this issue in more
7 detail.

8

9 Finally, Mr. Van De Water attempts to compare the percent of Orders
10 Placed in Jeopardy, percent of Orders Requiring a Field Dispatch and Non
11 Dispatch Order Completion Intervals. As has been stated several times
12 before, these comparisons are not appropriate. Furthermore, they are in
13 conflict with the Commission's findings that established a retail analogue
14 for each product of these 3 metrics.

15

16 Q. MR. VAN DE WATER, ON PAGE 19 LINES 19 – 22, OF HIS
17 TESTIMONY, SUGGESTS THAT THERE ARE CURRENTLY FAILURE
18 AND RESTORATION PROBLEMS AT LOW VOLUMES THAT WILL
19 “ONLY BE EXACERBATED” BASED ON POTENTIAL INCREASED
20 DEMAND FOR UNE-L IF UNE-P IS NO LONGER AVAILABLE. PLEASE
21 ADDRESS HIS COMMENT.

22

23 A. First, Mr. Van De Water begins, incorrectly, with the premise that there are
24 currently “failure and service restoration problems that occur at low
25 volumes.” However, I provided a significant amount of data with my Direct

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1 Testimony in this case demonstrating that BellSouth's performance in the
2 ordering, provisioning and maintenance & repair of UNE Loops is more
3 than sufficient to allow CLECs the ability to pursue viable competitive plan
4 in the local market. Consequently, Mr. Van De Water's starting premise
5 is not valid. He then uses a faulty characterization of current performance
6 to suggest that an increase in UNE-L orders, based on the elimination of
7 local circuit switching as a UNE, exacerbate a current problem, which
8 really is not a problem based on the data. Of course, he provides no basis
9 for his speculation that performance may decline as volume increases,
10 which is contrary to the historical pattern where BellSouth's performance
11 for CLECs has improved as the level of competition has increased over
12 the years.

13

14 Q. MR. VAN DE WATER, ON PAGE 44 OF HIS TESTIMONY, STATES,
15 "BELLSOUTH PROVIDES NO PERFORMANCE DATA ON THE
16 FREQUENCY AND DURATION OF FALL-OUT FROM ITS
17 PROVISIONING SYSTEMS." HOW DO YOU RESPOND?

18

19 A. It is not clear what Mr. Van De Water means by 'fall-out from provisioning
20 systems.' If he means order processing that requires manual handling, we
21 actually do provide information on the frequency and duration in a number
22 of Ordering measurements reports – namely flow-through service
23 requests, Partially Mechanized Rejected Service Requests and Partially
24 Mechanized Firm Order Confirmations (FOCs). If, on the other hand, he is
25 referring to what happens after a FOC is issued and service order

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1 processing begins, that is a combination of manual and automated
2 processes and both can occur for UNE-P and UNE-L. The proportion of
3 each is not relevant. What is relevant is whether BellSouth is providing
4 CLECs with a level of service that allows the CLEC a meaningful
5 opportunity to compete. Both this Commission and the FCC reached that
6 conclusion and the performance data show that there is no basis for
7 concluding otherwise today.

8

9 Q. ON PAGE 66, MR. VAN DE WATER STATES THAT "BATCH CUT AND
10 OTHER ASSOCIATED LOOP PERFORMANCE STANDARDS SHOULD
11 BE EQUIVALENT TO PERFORMANCE TO MIGRATING A CUSTOMER
12 FROM RETAIL TO UNE-P." IS THIS A LOGICAL BASIS FOR THE
13 PERFORMANCE STANDARD FOR BATCH HOT CUTS?

14

15 A. No. Batch cutovers require some amount of work, over and above that
16 required to migrate an existing customer from retail to UNE-P. Thus it is
17 not reasonable to base the performance standards on UNE-P migrations.
18 If Mr. Van De Water's company were to actually invest in facilities and
19 serve customers over assets owned by AT&T, I seriously doubt Mr. Van
20 De Water would support a standard for batch cuts of its' customers to
21 another CLEC (or to BellSouth) predicated on the performance for retail to
22 UNE-P migration.

23

24 Mr. Ainsworth will address this in more detail.

25

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1 Q. ON PAGE 66, MR. VAN DE WATER LISTS SEVERAL KEY
2 PERFORMANCE MEASUREMENT FACTORS FOR BATCH CUTS THAT
3 MUST BE IN PLACE. DO YOU AGREE?
4

5 A. Yes. In Section III of my Direct Testimony I proposed additional metrics,
6 revisions in business rules and standards associated with batch hot cuts.
7 These revisions address the issues noted by Mr. Van De Water.
8

9 Q. MR. VAN DE WATER SUGGESTS THAT: 1) SELF EXECUTING
10 FINANCIAL CONSEQUENCES SHOULD BE IN PLACE FOR ILEC
11 FAILURES TO MEET PERFORMANCE STANDARDS; 2) THAT FOR ALL
12 CONVERSION SERVICE OUTAGES, THE CONSEQUENCES SHOULD
13 BE COMMENSURATE WITH THE AVERAGE NET REVENUE TIME
14 OVER THE AVERAGE LIFE OF THE CUSTOMER. DO YOU AGREE
15 WITH THESE TWO STATEMENTS?
16

17 A. The first statement is moot because the SEEM plan in effect in Florida
18 meets this requirement, and I disagree with the second statement.
19

20 BellSouth's existing measurements associated with cutovers have self-
21 executing financial consequences for the key ordering, provisioning and
22 maintenance and repair metrics. These measurements include:

23 -Percent Flow Through Service Requests

24 -Reject Interval

25 -Firm Order Confirmation Timeliness

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- 1 -Firm Order Confirmation and Reject Response Completeness
- 2 -Percent Missed Installation Appointments
- 3 -Order Completion Interval, Percent Provisioning Troubles within 30
- 4 days of a Service Order
- 5 -Coordinated Customer Conversions Interval
- 6 -Coordinated Customer Conversions – Hot Cut Timeliness
- 7 -Hot Cut Conversions - % Provisioning Troubles with 7 days
- 8 -Service Order Accuracy
- 9 -Missed Repair Appointments
- 10 -Maintenance Average Duration
- 11 -Customer Trouble Report Rate
- 12 -Percent Repeat Troubles within 30 days
- 13 -Out Of Service > 24 hours.

14 In addition to these existing measurements in SEEM, BellSouth is
15 proposing a new measurement P-7E: Non- Coordinated Customer
16 Conversions - % Completed and Notified on Due Date that will be included
17 with the enforcement plan pending approval by the Commission.

18

19 Turning to the second statement, Mr. Van De Water suggests: “For all
20 conversion service outages, the consequences should be commensurate
21 with the average net revenue time the average life of the customer.” This
22 is an absurd suggestion – but, nevertheless, I will respond. Earlier in my
23 rebuttal testimony, I noted that less than 1% of the hot cuts experienced a
24 trouble report or service outage. When these outages occur during a hot
25 cut conversion, they are usually resolved in a matter of hours. As

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1 mentioned above, the average outage for a recent three-month period was
2 4.2 hours – and this is below the Commission’s standard of less than 5
3 hours. Now, for Mr. Van De Water to suggest that an outage of 1/5th of
4 one day should somehow be compensated by average revenue for the life
5 of the customer goes beyond the realm of reason. An average customer
6 is likely to remain with the average telecommunication provider for several
7 years. I don’t know that an exact figure could be determined but for the
8 sake of discussion, assume the average life is 5 years. How can an
9 outage of 1/5th of a day require payment equivalent to 5 years (9000 times
10 the 1/5 day) in revenue? Furthermore, such a payment in compensatory
11 damages must assume that the customer is lost to the CLEC forever due
12 solely to being out of service for 5 hours or less. If the customer decides
13 to leave AT&T forever following a outage related to a hot cut, the root
14 cause is most likely something other than a 5 hour outage. Turning the
15 issue raised by Mr. Van De Water around, if he assumes that outages are
16 the sole reason for a customer leaving AT&T, would he further assume
17 that customer retention after a trouble free hot cut is the sole reason for a
18 customer staying? And would he suggest that BellSouth should be
19 rewarded with the average net revenue for the life of that customer?
20 Probably not.

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1 Q. ON PAGE 58 OF HIS TESTIMONY, MR. VAN DE WATER INDICATES
2 THAT TRUNKING IS ONE OF THE OPERATIONAL CONSTRAINTS
3 THAT WILL RESULT FROM THE CONVERSION OF UNE-P TO UNE-L.
4 IS THIS ACCURATE?

5
6 A. No. BellSouth provides CLECs with a very high level of performance in
7 the area of local trunking. This performance level would not be
8 significantly impacted by the conversion from UNE-P to UNE-L because in
9 many cases the increase would simply mean that an existing trunk group
10 would need to be augmented. As long as the CLEC provides a timely
11 forecast to BellSouth of its trunking requirements, these increases can be
12 accommodated within the same performance levels as provided currently.

13
14 Q. WOULD YOU PROVIDE BELL SOUTH'S PERFORMANCE FOR LOCAL
15 INTERCONNECTION TRUNKS (LIT) IN THE ORDERING CATEGORY IN
16 FLORIDA DURING THE PERIOD OF SEPTEMBER 2002 THROUGH
17 AUGUST 2003?

18
19 A. Yes. The following table provides BellSouth's ordering performance for
20 the Local Interconnection Trunks during the period of September 2002
21 through August 2003 in Florida.

22

Measure	Total ASRs	ASRs Meeting Benchmark	% ASRs Meeting Benchmark
Reject Interval (C.1.2)	758	735	96.97%
FOC Timeliness (C.1.3)	1,570	1,463	93.18%

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Measure	Total ASRs	ASRs Meeting Benchmark	% ASRs Meeting Benchmark
FOC & Reject Completeness (C.1.4)	1,496	1,491	99.67%

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Q. WOULD YOU PROVIDE BELLSOUTH'S PERFORMANCE FOR LOCAL INTERCONNECTION TRUNKS (LIT) IN THE PROVISIONING CATEGORY IN FLORIDA DURING THE PERIOD OF SEPTEMBER 2002 THROUGH AUGUST 2003?

A. Yes. BellSouth met 87.5% of the provisioning sub-metrics with CLEC activity during the 12-month period included with this filing. The following table provides BellSouth's provisioning performance for the Local Interconnection Trunks during the period of September 2002 through August 2003 in Florida.

Measure	Total Sub-metrics	Sub-metric Meeting Parity	% Sub-metrics Meeting Parity
OCI (C.2.1)	12	9	75%
Missed Installation Appointments (C.2.7)	12	10	83%
Provisioning Troubles within 30 days (C.2.9)	12	12	100%
ACNI (C.2.10)	12	11	92%
TOTAL Sub-metrics	48	42	87.5%

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The three missed OCI sub-metrics included orders with extended intervals, which should have been excluded from the measurement as required by the SQM. These orders have requested intervals longer than

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1 the standard offered intervals and should have been "L-coded" which
2 would have excluded them from the measurement calculations. These
3 extended intervals were either requested originally by the CLEC or
4 extended due to a customer not ready condition at the time of the due
5 date.

6
7 The two missed installation sub-metrics were for 2 missed appointments
8 out of the 61 scheduled in May and 1 missed appointment of the 58
9 scheduled in July. There were no systemic issues identified for any of the
10 three missed appointments.

11

12 Finally, the one missed ACNI sub-metric in June did not reveal any
13 systemic issues when reviewed.

14

15 Q. WOULD YOU PROVIDE BELLSOUTH'S PERFORMANCE FOR LOCAL
16 INTERCONNECTION TRUNKS (LIT) IN THE MAINTENANCE & REPAIR
17 (M&R) CATEGORY IN FLORIDA DURING THE PERIOD OF
18 SEPTEMBER 2002 THROUGH AUGUST 2003?

19

20 A. Yes. BellSouth met 98% of the M&R sub-metrics with CLEC activity
21 during the 12-month period included with this filing. The following table
22 provides BellSouth's M&R performance for the Local Interconnection
23 Trunks during the period of September 2002 through August 2003 in
24 Florida.

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Measure	Total Sub-metrics	Sub-metric meeting parity	% Sub-metrics meeting parity
Missed Repair Appointments (C.3.1)	24	24	100%
Customer Trouble Report Rate (C.3.2)	24	22	92%
Maintenance Average Duration (C.3.3)	16	16	100%
Repeat Reports within 30 Days (C.3.4)	24	24	100%
TOTAL Sub-metrics	88	86	98%

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The two missed CTRR sub-metrics were based on 1 report for 183,030 in-service trunks (0.01%) in March and 95 reports for 190,745 in-service trunks (0.05%) in August. Both missed sub-metrics show that BellSouth provided over 99.9% trouble free service for the CLEC in March and August.

Q. WOULD YOU PROVIDE BELL SOUTH'S PERFORMANCE FOR LOCAL INTERCONNECTION TRUNKS (LIT) IN THE TRUNK BLOCKING CATEGORY IN FLORIDA DURING THE PERIOD OF SEPTEMBER 2002 THROUGH AUGUST 2003?

A. Yes. BellSouth met the trunk blocking criteria of less than 0.5% difference for two consecutive hours for 9 of the 12 months during the period of September 2002 through August 2003 in Florida. In December and May, the blocking was due to extreme traffic volumes for Christmas and Mother's Day that were higher than expected. Subsequent months were back within the normal criteria. In August, the criterion was exceeded for the ten and eleven pm hours. As stated above in the CTRR explanation

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1 for August, there were a total of 95 trouble reports. There were three
2 facility outages in August that caused 94 of these reports. These outages
3 caused the trunks to be unavailable, thus producing the overflow condition
4 during these two peak hours.

5

6 Q. NOW THAT YOU HAVE ADDRESSED ISSUES RAISED BY THE CLECS
7 IN THEIR DIRECT FILINGS, IS THERE ANY OTHER ISSUE THAT
8 SHOULD BE ADDRESSED?

9

10 A. Yes, there is one minor issue that BellSouth wishes to clarify. In my Direct
11 Testimony, page 10, lines 18 – 22, I indicated that once BellSouth offered
12 the “Co-Carrier Cross-Connect” product to CLECs, the activity associated
13 with this product would be included in the “UNE Other” category of the
14 SQM. This was in error. Since the co-carrier cross-connect product is not
15 a UNE, but rather will be offered through a tariff, BellSouth does not
16 propose including this product in the SQM reported data.

17

18 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

19

20 A. Yes.