1   BELLSOUTH TELECOMMUNICATIONS, INC.

2   SURREBUTTAL TESTIMONY OF ERIC FOGLE

3   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

4   DOCKET NO. 030851-TP

5   JANUARY 28, 2004

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7   Q.   PLEASE STATE YOUR NAME, YOUR POSITION WITH BELLSOUTH

8   TELECOMMUNICATIONS, INC. ("BELLSOUTH") AND YOUR BUSINESS

9   ADDRESS.

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11   A.   My name is Eric Fogle. I am employed by BellSouth Resources, Inc. as a Director in

12   BellSouth's Interconnection Operations Organization. My business address is 675 West

13   Peachtree Street, Atlanta, Georgia 30375.

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15   Q.   ARE YOU THE SAME ERIC FOGLE WHO FILED REBUTTAL TESTIMONY IN

16   THIS DOCKET?

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18   A.   Yes.

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

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22   A.   My surrebuttal testimony responds to portions of the rebuttal testimony of Mark

23   David Van de Water of AT&T Communications of the Southern States, LLC

24   ("AT&T"), and Sherry Lichtenberg of MCI WorldCom Communications, Inc. and

1   MCIMetro Access Transmission Services, Inc. ("MCI").

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3   Q.   ON PAGE 11 OF HER TESTIMONY, MS. LICHTENBERG CRITICIZES THE

4   IMPACT OF THE BATCH ORDERING PROCESS ON LINE SPLITTING AND

5   OPINES THAT BELLSOUTH MUST CHANGE THE PROCESS SO THAT THE

6   CUSTOMER'S LINE SPLITTING ARRANGEMENT IS NOT TAKEN DOWN.

7   PLEASE COMMENT.

8

9   A.   First, Ms. Lichtenberg's 'understanding' of when a "customer is served by a UNE-

10   P voice CLEC and a data CLEC over a line splitting configuration" is flawed. As I

11   explained in my rebuttal testimony, line splitting service is not compatible with a

12   UNE-P arrangement, as a splitter has been inserted between the UNE Port and

13   UNE Loop that were previously combined and provided to the CLEC as a UNE-

14   P. Since CLECs that use line splitting do not, by definition, use UNE-P, there is

15   no process that converts UNE-P customers to UNE-Ls that will affect the DSL

16   service of the end-user customer.

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18   Second, Ms. Lichtenberg continues by saying that "a process that does not allow

19   the customer to retain his or her data provider when he moves to UNE-L is not

20   acceptable..." As outlined in my rebuttal testimony, if a CLEC is concerned

21   about the impact a change in the switch provider for the voice service would have

22   on DSL service, then the CLEC can easily address this concern by installing and

23   maintaining its own splitters, and performing the voice service UNE-P to UNE-L

24   migration without any assistance from BellSouth and without any interruption of

2

1   the data service. The simplest approach to resolving Ms. Lichtenberg's concerns

2   remains one in which the CLECs maintain and manage their own splitters.

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4   Since the Triennial Review Order does not require BellSouth to provide a splitter,

5   BellSouth has met its obligations. Moreover, there is a process that the CLECs

6   can follow, even in the circumstances when BellSouth voluntarily provides a

7   splitter, that allows the end-user to retain his or her data provider after a

8   momentary disconnect (necessary when the CLEC moves the end-user's service

9   from a BellSouth splitter to a CLEC splitter), because the UNE Loop portion of

10   the service can be reused with the new service arrangement.

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12 Q.   ON PAGE 3, AND AGAIN ON PAGE 14, OF HIS TESTIMONY, MR. VAN DE

13   WATER IMPLIES THAT "BELLSOUTH IGNORES THE BASIC REALITY THAT

14   ITS 'BATCH' ORDERING PROCESS EXCLUDES CUSTOMERS WHO OBTAIN

15   DSL SERVICES VIA A LINE-SPLITTING ARRANGEMENT AND THOSE WHO

16   WOULD LIKE TO MOVE FROM ONE CLEC TO ANOTHER." PLEASE

17   COMMENT.

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19 A.   BellSouth does not ignore the fact that the batch ordering process excludes

20   customers that obtain their DSL service via a line splitting arrangement.

21   BellSouth's batch process is efficiently designed to move large numbers of CLEC

22   customers provisioned via UNE-P to UNE-L. The introduction of the splitter

23   between the UNE Port and the UNE-Loop breaks up the UNE-P, and therefore

24   excludes line splitting lines from the batch ordering process. Additionally, and

25   perhaps more importantly, at the end of 2003 there was a total of 1,506 line

1   splitting lines provisioned at the request of CLECs region-wide. With fewer line

2   splitting lines than BellSouth central offices, no batch migration process is

3   necessary.

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5   Q.   DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?

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7   A.   Yes.