

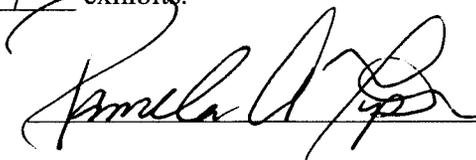
AFFIDAVIT

STATE OF GEORGIA

COUNTY OF FULTON

BEFORE ME, the undersigned authority, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Pamela A. Tipton, who, being by me first duly sworn deposed and said that:

She is appearing as a witness before the Kentucky Public Service Commission in Case No. 2003-00379, Review of Federal Communications Commission's Triennial Review Order Regarding Unbundling Requirements for Individual Network Elements, and if present before the Commission and duly sworn, her testimony would be set forth in the annexed testimony consisting of 18 pages and 7 exhibits.



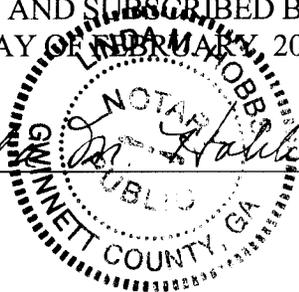
Pamela A. Tipton

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 10th DAY OF FEBRUARY, 2004



Notary Public



Winnett County, Georgia  
Commission Expires March 17, 2007

1                           BELLSOUTH TELECOMMUNICATIONS, INC.  
2                           DIRECT TESTIMONY OF PAMELA A. TIPTON  
3                           BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION  
4                           DOCKET NO. 2003-00379  
5                           FEBRUARY 11, 2004  
6

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

10  
11   A.    My name is Pamela A. Tipton. I am employed by BellSouth  
12           Telecommunications, Inc., as a Director in the Interconnection Services  
13           Department. My business address is 675 West Peachtree Street, Atlanta,  
14           Georgia 30375.

15  
16   Q.    PLEASE DESCRIBE YOUR CURRENT RESPONSIBILITIES.

17  
18   A.    I am responsible for implementation of state and federal regulatory  
19           mandates for the Local and Access markets, the development of  
20           regulatory strategies, and the management of the switched services  
21           product portfolio.

22  
23   Q.    PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.  
24  
25

1 A. I received a Bachelor of Arts in Economics from Agnes Scott College in  
2 1986, and a Masters Certification in Project Management from George  
3 Washington University in 1996. I have over 15 years experience in  
4 telecommunications, with my primary focus in the areas of process  
5 development, services implementation, product management, marketing  
6 strategy, and regulatory policy implementation. I joined Southern Bell in  
7 1987, as a manager in Interconnection Operations, holding several roles  
8 over a 5-year period, including process development and execution,  
9 quality controls and services implementation. In 1994, I became a Senior  
10 Manager with responsibility for End User Access Services and  
11 implementation of Virtual and (later) Physical Collocation. In 2000, I  
12 became Director, Interconnection Services, responsible for development  
13 and implementation of UNE products, and later development of marketing  
14 and business strategies. I assumed my current responsibilities in June  
15 2003.

16  
17 Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?

18  
19 A. The purpose of my testimony is to identify the geographic markets in  
20 BellSouth's territory in Kentucky where the local switching self-  
21 provisioning trigger established by the Federal Communications  
22 Commission ("FCC") in its Triennial Review Order ("TRO") and new rules  
23 has been satisfied and where Competitive Local Exchange Carriers  
24 ("CLECs"), therefore, are not impaired without access to unbundled

1 switching. The switching “triggers” are set forth at 47 C.F.R. §  
2 51.319(d)(2)(iii)(A), which states that “a state commission shall find that a  
3 requesting telecommunications carrier is not impaired without access to  
4 local circuit switching on an unbundled basis in a particular market where  
5 either the self-provisioning trigger ... or the wholesale facilities trigger ...is  
6 satisfied.” My testimony focuses on the self-provisioning trigger.  
7 BellSouth is not at this time attempting to make a showing of no  
8 impairment based on switching being wholesaled by other providers.

9

10 I also provide data identifying the actual competition that exists in some of  
11 the geographic markets where the FCC’s triggers are not met. This data  
12 supports the conclusion of other BellSouth witnesses that, pursuant to the  
13 FCC’s “potential deployment” method of impairment evaluation, CLECs  
14 are not impaired without access to BellSouth’s unbundled local switching  
15 in certain markets where the self-provisioning trigger is not met.

16

17 Q. ARE CLECS USING THEIR OWN SWITCHES TO SERVE CUSTOMERS  
18 IN KENTUCKY?

19

20 A. Yes. CLECs have deployed more than 30 switches which provide service  
21 in Kentucky, at least 6 of which are serving “mass market” customers.

22 The definition of “mass market” customers is discussed further below and  
23 in more detail in the testimony of BellSouth witness, Kathy Blake. Exhibit

1 PAT-1 is a list of CLEC switches which provide service in Kentucky. As  
2 described in BellSouth witness Keith Milner's testimony, each switch is  
3 capable of serving CLEC customers throughout the entire market (or  
4 larger) area.

5

6 Q. UNDER WHAT CIRCUMSTANCES IS THE LOCAL SWITCHING SELF-  
7 PROVISIONING TRIGGER SATISFIED?

8

9 A. 47 C.F.R. § 51.319(d)(2)(iii)(A)(1) states that the local switching self-  
10 provisioning trigger is satisfied when "three or more competing providers  
11 not affiliated with each other or the incumbent LEC, including intermodal  
12 providers of service comparable in quality to that of the incumbent LEC,  
13 each are serving mass market customers in the particular market with the  
14 use of their own local switches."

15

16 Q. WHEN APPLYING THE FCC'S SELF-PROVISIONING SWITCHING  
17 TRIGGER, IS IT AS SIMPLE AS COUNTING WHETHER THERE ARE  
18 THREE OR MORE ENTITIES SELF-PROVISIONING SWITCHING TO  
19 MASS MARKET CUSTOMERS?

20

21 A. Yes, as a practical matter, it is that simple. The only qualifications under  
22 the FCC's rule are that: 1) the entities used to meet the trigger cannot be  
23 affiliated with each other, or with the incumbent local exchange carrier

1 (“ILEC”) and 2) if the self-provisioning entity is an “intermodal” provider, its  
2 service must be comparable in quality to that of the ILEC. Additionally, the  
3 self provisioning carriers must not have indicated that they intend to  
4 terminate service to mass market customers in the relevant geographic  
5 area. Satisfaction of the trigger is dependent upon counting the number of  
6 entities self-provisioning switching that meet those criteria.

7

8 Q. MAY THE COMMISSION LOOK AT SUBJECTIVE EVIDENCE OF  
9 IMPAIRMENT IN APPLYING THE SELF-PROVISIONING TRIGGER?

10

11 A. No. The FCC’s rule makes it clear that the self-provisioning trigger is  
12 purely objective. The Order also explicitly states that other than the  
13 objective count of CLECs, “states shall not evaluate any other factors,  
14 such as the financial stability or well-being of the competitive switch  
15 providers.” Order ¶ 500 (emphasis added). The self-provisioning trigger is  
16 straightforward: the Commission must find “no impairment” for unbundled  
17 switching when three or more unaffiliated competing carriers are serving  
18 mass market customers in a particular market. Order ¶ 501 (emphasis  
19 added). This objectivity allows trigger determinations to be made quickly  
20 and accurately, and avoids the need for “protracted proceedings.” Order ¶  
21 498.

22

23

1 Q. ARE THERE ANY EXCEPTIONS TO THE RULE?

2

3 A. Yes, there is one, but it is not applicable in Kentucky. In Paragraph 503 of  
4 the TRO, the FCC said: "In exceptional circumstances, states may  
5 identify specific markets that facially satisfy the self-provisioning trigger,  
6 but in which some significant barrier to entry exists such that service to  
7 mass market customers is foreclosed even to carriers that self-provision  
8 switches." The FCC then gave an example of where this exception would  
9 apply, identifying the situation where there was no collocation space  
10 available. As BellSouth witness, Wayne Gray testifies, collocation space  
11 is not an issue in Kentucky. Importantly, even in circumstances where the  
12 state commission finds what it believes to be an exceptional source of  
13 impairment, it must petition the FCC for a waiver of the application of the  
14 trigger.

15

16 Q. IN DETERMINING WHERE CLECS MIGHT BE IMPAIRED WITHOUT  
17 ACCESS TO BELLSOUTH'S UNBUNDLED SWITCHING, WHAT  
18 DETERMINATIONS, OTHER THAN THE TRIGGER ANALYSIS, MUST  
19 THE COMMISSION MAKE?

20

21 A. The Commission must determine the identity of the appropriate  
22 geographic market that will be used to conduct the impairment analysis,  
23 and it must determine the appropriate definition of "mass market"

1 customers. BellSouth witness Dr. Chris Pleatsikis testifies that geographic  
2 markets should be defined by the Unbundled Network Element (“UNE”)  
3 rate zones previously established by this Commission, subdivided by  
4 Component Economic Areas (“CEAs”) established by the Bureau of  
5 Economic Analysis of the Department of Commerce. BellSouth witness,  
6 Kathy Blake, testifies that, for this proceeding, BellSouth adopted the  
7 FCC’s default demarcation point to divide the market between “mass  
8 market” and “enterprise” customers. If a customer location has three or  
9 fewer voice grade equivalent lines served by a particular CLEC, the  
10 customer is a “mass market” customer. If the customer location has four  
11 or more voice grade equivalent lines served by a particular CLEC, the  
12 customer is an “enterprise” customer.

13

14 Q. APPLYING THE DEFINITION OF THE GEOGRAPHIC MARKET THAT  
15 BELL SOUTH ADVOCATES, HOW MANY DIFFERENT MARKETS ARE  
16 THERE IN BELL SOUTH’S KENTUCKY SERVICE TERRITORY?

17

18 A. There are 20 separate markets in BellSouth’s Kentucky service area.  
19 Attached, as Exhibit PAT-2, is a map that shows these 20 markets.

20

21 Q. IN HOW MANY OF THESE MARKETS IS THE FCC’S SELF-  
22 PROVISIONING TRIGGER MET, SUCH THAT THE COMMISSION

1 MUST MAKE A FINDING OF “NO IMPAIRMENT?”

2

3 A. The FCC’s self-provisioning trigger is met in 2 of the 20 market areas.

4

5 Q. PLEASE IDENTIFY THE MARKETS WHERE THE FCC’S SELF-  
6 PROVISIONING TRIGGER HAS BEEN MET?

7

8 A. Attached as Exhibit PAT-3 is a list of the markets in Kentucky where the  
9 self-provisioning trigger is met. Attached as Exhibit PAT-4 is a highlighted  
10 map of Kentucky showing the markets where the self-provisioning trigger  
11 is met.

12

13 Q. CAN YOU IDENTIFY THE CLECS THAT ARE SELF-PROVISIONING  
14 SWITCHING TO SERVE MASS MARKET CUSTOMERS IN THE  
15 MARKETS THAT YOU HAVE IDENTIFIED AS MEETING THE  
16 TRIGGER?

17

18 A. Yes. Attached as Exhibit PAT-5 is a list of the CLECs that are using their  
19 own switching to serve mass-market customers in the market areas that I  
20 have identified as meeting the trigger. We believe there may be additional  
21 CLECs that are self-provisioning switching to mass market customers in  
22 these and other markets, and we are in the process of reconciling data  
23 relating to these CLECs. BellSouth requests that Exhibit PAT-5 be treated

1 as confidential because while the Commission needs to know where  
2 CLECs have self-provisioned switching serving mass-market customers,  
3 these locations and the identity of the CLECs' customers are proprietary,  
4 and it is very important to these CLECs that this information not be made  
5 available to their competitors. BellSouth has signed confidentiality  
6 agreements with a number of CLECs, promising that this material would  
7 not be used by or given to BellSouth's marketing organization, for obvious  
8 reasons, or otherwise publicly disclosed.

9

10 Q. WHERE DID BELLSOUTH OBTAIN THE INFORMATION UPON WHICH  
11 YOU BASE YOUR CONCLUSIONS ABOUT WHETHER THE FCC'S  
12 SELF-PROVISIONING TRIGGER IS MET IN A PARTICULAR  
13 GEOGRAPHIC MARKET?

14

15 A. We have relied both upon information obtained from the CLECs and from  
16 data that is available from BellSouth's records. We asked CLECs to  
17 identify the market areas where they serve mass-market customers using  
18 their own switching and to provide detailed information about the number  
19 and location of the customers they serve in those markets. Unfortunately,  
20 while some CLECs were cooperative and provided the information  
21 requested, others did not respond or objected to providing the information  
22 requested, claiming that BellSouth had such information in its possession  
23 already. BellSouth thus relied on the information it had for those CLECs

1 that did not respond or objected to providing the information requested.

2 As a result of the Commission's February 9<sup>th</sup> Order in this docket,  
3 BellSouth will file additional discovery requests to specific utilities that are  
4 within the jurisdiction of this Commission. My testimony may need to be  
5 supplemented when additional information becomes available.

6

7 Q. WHAT DID YOU ASK THE CLECS TO PROVIDE TO BELLSOUTH?

8

9 A. We asked the CLECs to identify the switches that they owned, and to tell  
10 us where they were providing service to customers using those switches,  
11 organized by BellSouth wire center serving area. We asked the CLECs to  
12 identify customer locations by the number of CLEC lines provided to each  
13 location, ranging from 1 line up to more than 10 lines. Some CLECs,  
14 including Network Telephone and Comcast, provided us with useful  
15 information and we have used that information to help determine the areas  
16 where the self-provisioning trigger is satisfied.

17

18 Q. CAN YOU TELL US WHAT YOU DID ABOUT THE CLECS WHO OWN  
19 THEIR OWN SWITCHES, BUT WHO DID NOT PROVIDE YOU WITH  
20 THE INFORMATION YOU REQUESTED?

21

22 A. Yes. For CLECs that objected to providing the information or otherwise  
23 did not provide the requested information, BellSouth used the data it had

1 available to determine the total number and the location of the mass  
2 market customers. We used one method to identify residential customers  
3 and a separate method to identify business customers.

4  
5 With regard to residential customers, we identified all telephone numbers  
6 that had been “ported” from BellSouth to another carrier. The fact that the  
7 number was “ported” meant that the customer is being served by another  
8 telecommunications provider who had access to a switch that it either self-  
9 provided or obtained from another carrier. Our database reflects the  
10 carrier to whom the number was ported. We compared these ported  
11 numbers against BellSouth’s directory listing database. The purpose of  
12 doing this was to confirm that we were including only residential numbers  
13 and to obtain an address for the ported number. We identified  
14 “residential” customers by looking at their service classifications in the  
15 Directory Listings database. We then sorted the ported “residential”  
16 numbers by address, so that we could determine how many CLEC lines  
17 were provided at that particular address to ensure that we excluded  
18 customer locations with more than three lines, such as nursing homes  
19 (because BellSouth is using 3 or fewer lines as the demarcation point to  
20 designate “mass market” customers). I note that this method has the clear  
21 tendency to understate the number of customers served by CLECs  
22 because it does not capture the customers to whom BellSouth has never

1 provided local service or those who abandoned their BellSouth number  
2 and obtained a new number provided by a CLEC.

3

4 Q. WHAT METHOD DID YOU USE TO IDENTIFY THE BUSINESS MASS  
5 MARKET CUSTOMERS THAT ARE SERVED BY A SELF-  
6 PROVISIONED CLEC SWITCH?

7

8 A. Except for those customers served by a carrier using solely its own  
9 facilities, like the cable companies, most mass market customers receiving  
10 local exchange service from a CLEC that is self-provisioning switching are  
11 still served via a UNE loop that the CLEC leases from BellSouth. Our loop  
12 inventory database contains a class of service indicator. Therefore, we  
13 extracted a list of all business class loops from BellSouth's database.  
14 From this database, we learned the identity of the CLECs who lease UNE  
15 loops and the service address where each loop terminates. We grouped  
16 the business class service addresses, and identified those service  
17 addresses where there were three or fewer loops terminated. By  
18 matching those locations to the geographic markets we had identified, we  
19 could determine how many CLECs were providing local service to mass-  
20 market customers in each of the geographic markets.

21

22 Q. WOULD THE LOOP RECORDS HAVE ALLOWED YOU TO IDENTIFY  
23 BOTH "RESIDENTIAL" AND "BUSINESS" MASS MARKET CUSTOMERS

1 THAT ARE BEING SERVED BY A SELF-PROVISIONED CLEC  
2 SWITCH?

3

4 A. No. The loop records would not have allowed us to identify carriers who  
5 provide service using solely their own facilities, such as cable companies,  
6 who generally only provide service to residential subscribers. In cases  
7 where facilities-based providers would not provide the information we  
8 requested to determine if it is self-provisioning switching, using ported  
9 numbers was the only way to identify customers being served by those  
10 carriers.

11

12 Q. WHAT IS AN “INTERMODAL” PROVIDER OF TELECOMMUNICATIONS  
13 SERVICE?

14

15 A. As defined by the FCC, “[t]he term intermodal refers to facilities or  
16 technologies other than those found in traditional telephone networks, but  
17 that are utilized to provide competing services. Intermodal facilities or  
18 technologies include, but are not limited to, traditional or new cable plant,  
19 wireless technologies, and power line technologies.” 47 C.F.R. § 51.5.

20

21 Q. HAVE YOU RELIED UPON INTERMODAL PROVIDERS OF  
22 TELEPHONE SERVICE IN ORDER TO MEET THE TRIGGERS IN THE 2  
23 MARKETS YOU HAVE IDENTIFIED?

1

2 A. No. While a cable company is providing service in the two geographic  
3 markets where the trigger is met, there are at least three other providers in  
4 these markets.

5

6 Q. IS THE LOCAL TELECOMMUNICATIONS SERVICE BEING PROVIDED  
7 BY THE CABLE COMPANY COMPARABLE IN QUALITY TO  
8 BELLSOUTH'S LOCAL SERVICE?

9

10 A. Yes. In fact, the cable company touts its service as providing a "cleaner"  
11 signal with "less noise and distortion" than traditional analog telephone  
12 service. The fact that this company has captured a significant number of  
13 customers in the Kentucky markets where it provides service  
14 demonstrates that consumers view its service as at least comparable in  
15 quality to BellSouth's service.

16

17 Q. HAVE YOU PROVIDED THE PRECISE CUSTOMER LOCATION FOR  
18 EACH OF THE CUSTOMERS OF THE CLECS WHO ARE SELF-  
19 PROVISIONING SERVICE?

20

21 A. No, because that is not necessary. We have identified the UNE Zones  
22 further subdivided by Component Economic Areas in which these  
23 customers are located. As BellSouth witness Keith Milner discusses in

1 greater detail in his testimony, the CLECs have made it clear that their  
2 networks are not configured like BellSouth's, and that they are relying on  
3 fewer switches and more transport to serve their customers. AT&T has  
4 stated in a proceeding before this Commission that it has "the ability to  
5 connect virtually any qualifying local exchange customer in Kentucky to  
6 one of [its] switches through AT&T's dedicated access services." (Docket  
7 No. 2000--465, Direct Testimony of Gregory R. Follensbee, February 6,  
8 2001) Given that, the actual physical location of the individual end users  
9 in each market area is not relevant. If the CLECs have chosen to serve  
10 certain customers in BellSouth's serving areas, according to the CLECs,  
11 their switch can serve any customers in those areas.

12  
13 Q. IN DR. ARON'S TESTIMONY, SHE IDENTIFIES AN ADDITIONAL SIX  
14 GEOGRAPHIC MARKETS IN KENTUCKY WHERE THE FCC'S  
15 TRIGGERS ARE NOT MET, BUT WHERE BELLSOUTH HAS  
16 CONCLUDED THAT CLECS ARE NOT IMPAIRED WITHOUT ACCESS  
17 TO UNBUNDLED SWITCHING BASED ON THE FCC'S "POTENTIAL  
18 DEPLOYMENT" METHODOLOGY. DO YOU HAVE INFORMATION  
19 REGARDING ACTUAL CLEC DEPLOYMENT IN THOSE MARKETS?

20  
21 A. Yes, I do. In addition to the FCC's triggers tests, the FCC provided that  
22 there could be other circumstances in which a CLEC would not be  
23 impaired without access to an incumbent's unbundled switching. The

1 FCC instructed the state commissions to look at those geographic markets  
2 that did not meet either of the triggers tests, and to evaluate those markets  
3 based on the actual competition that exists, also considering any  
4 operational or economic barriers that might exist.

5  
6 Specifically, the FCC states that competitive switching serving customers  
7 in the *enterprise* market is a “significant indicator of the possibility of  
8 serving the mass market because of the demonstrated scale and scope  
9 economies of serving numerous customers in a wire center using a single  
10 switch.” ¶ 508. The FCC further states that “to the extent there is a switch  
11 in an area serving the local exchange mass market, this fact must be  
12 given particularly substantial weight.” ¶ 510.

13  
14 With respect to the six geographic markets where the trigger is not met,  
15 but where BellSouth has concluded that CLECs are not impaired without  
16 access to BellSouth’s unbundled switching, a CLEC is serving mass-  
17 market customers using its’ own switch in one of those markets. This  
18 market is listed in Exhibit PAT-6. In Exhibit PAT-7, I identify, for this area,  
19 the CLEC that is providing service using its’ own switch. Exhibit PAT-7  
20 contains proprietary confidential business information (just as did my  
21 earlier exhibit that identified CLECs serving specific geographic areas).

22  
23 Q. PLEASE SUMMARIZE YOUR TESTIMONY.

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23

A. The FCC has created a “bright line” test for impairment with regard to unbundled switching. Where there are three or more unaffiliated CLECs providing switching in the relevant geographic areas using their own switch, the Commission must conclude that CLECs are not impaired without access to the incumbent local exchange carrier’s switch, end of inquiry. In Kentucky, a number of CLECs are providing service to mass market customers using their own switches. For all of the market areas I identified where the trigger is met, there are three such CLECs. Indeed, there are as many as five different providers in a single market. CLECs are not impaired in those market areas without access to BellSouth’s unbundled switching. Moreover, with respect to the six geographic markets where the “potential deployment” test is satisfied, a CLEC is providing service to mass market customers using its’ own switch in one of these markets, even though the FCC’s switching triggers have not been met. The fact of actual deployment in this market must be given substantial weight in determining lack of impairment. Finally, it is likely that with cooperation from a greater number of CLECs in providing data, the facts will show that CLECs are serving a greater number of customers, in more markets, than those set forth in my testimony.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

1 A. Yes.

2

Deployed CLEC Switches	Switch CLLI	Switch Node CLLI Serving KY	CLEC
1	LSVMKYCYDS0	LSVMKYCYDS0	ADELPHIA BUSINESS SOLUTIONS OF KENTUCKY, INC.
2	PDCHKYABDS1	PDCHKYABDS1	AERO COMMUNICATIONS, INC. - KY
3	LXTNKY01BB0	BWLGKYMAUMD MDVIKYMA8MD OWBOKYMAUMD	ALEC, INC. - KY TOUCHTONE COMMUNICATIONS, INC. DBA ALEC, INC. - KY TOUCHTONE COMMUNICATIONS, INC. DBA ALEC, INC. - KY
4	EVVLIN01DS0	OWBOKYMADMD	AT&T BROADBAND PHONE OF KENTUCKY, LLC - KY (COMCAST)
5	LSVLKYCSDS4	LSVLKYCSDS4	AT&T BROADBAND PHONE OF KENTUCKY, LLC - KY (COMCAST)
6	BLTNIN01DS7	LSVLKYCSKMD	AT&T LOCAL
7	LSVLKYCSDS0	BWLGKYATFMD LSVLKYCSDS0 LSVLKYCFMD LXTNKYXAX6Y LXTNKYXAX7X MDVIKYQAIMD OWBOKYATFMD WNCHKYATA01	AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL AT&T LOCAL
8	LSVLKYCSDS3	LSVLKYCSDS3 LXTNKYXAX3Y	AT&T LOCAL AT&T LOCAL
9	LSVLKY27DS3	LSVLKY27DS3	CINERGY COMMUNICATIONS COMPANY - KY
10	MDVIKY24DS1	MDVIKY24DS1	CINERGY COMMUNICATIONS COMPANY - KY
11	WNCHKYMADS1	WNCHKYMADS1	CINERGY COMMUNICATIONS COMPANY - KY
12	FRFTKY69DC0	FRFTKY69DC0	ELECTRIC & WATER PLANT BOARD OF CITY OF FRANKFORT
13	MRRYKY15DS0	MRRYKY15DS0	E-TEL, LLC - KY
14	LSVLKY18DS0	LSVLKY18DS0	ICG TELECOM GROUP - KY
15	CNCNOHFHDS0	LXTNKYPPX1X	ICG TELECOM GROUP - KY
16	NSVLTNMWDS0	BWLGKYAS0MD	ICG TELECOM GROUP - KY
17	LXTNKYGIDS0	LSVLKY277MD LXTNKYGIDS0 OWBOKY221MD	INTER MOUNTAIN CABLE DBA MIKROTEC COMMUNICATIONS INTER MOUNTAIN CABLE DBA MIKROTEC COMMUNICATIONS INTER MOUNTAIN CABLE DBA MIKROTEC COMMUNICATIONS
18	STLSMOWQDS1	BWLGKYATY4X	KMC TELECOM V, INC. - KY
19	LSVNKYJHDS0	LSVNKYJHDS0	LEVEL 3 COMMUNICATIONS, LLC - KY
20	CNCNOHBVDS5	BWLGKYMAXMD LSVNKYJH0MD LXTNKYXAXUX	LEVEL 3 COMMUNICATIONS, LLC - KY LEVEL 3 COMMUNICATIONS, LLC - KY LEVEL 3 COMMUNICATIONS, LLC - KY
21	MMPHTN32DS0	LSVLKY27X3X	MCIMETRO, ATS, INC.
22	LSVLKYAPDS9	LSVLKYAPDS9	NETWORK TELEPHONE CORPORATION - KY
23	LSVLKYOGDS0	LSVLKYOGDS0 WNCHKYMAVMD	NEWSOUTH COMMUNICATIONS CORP NEWSOUTH COMMUNICATIONS CORP
24	NSVNTN08DS0	LSVLKYAPBB5	NUVOX COMMUNICATIONS, INC. - KY
25	PDCHKY90DS0	PDCHKY90DS0	RUDDATA CORPORATION

CLEC Switches Providing Service in Kentucky

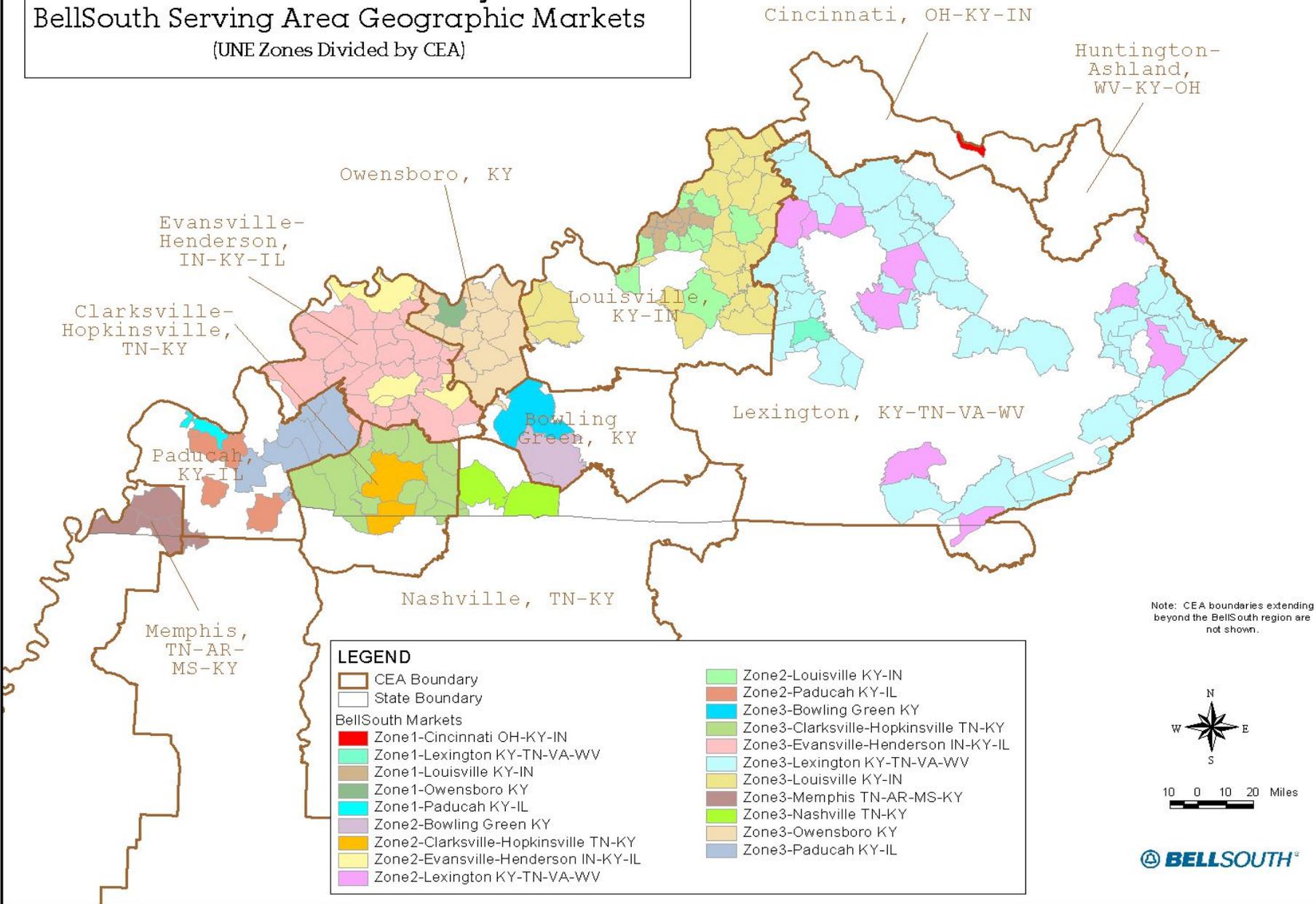
Exhibit PAT-1

26	LSVNKYSADS0	LSVNKYSADS0	SBC TELECOM, INC.-KY
27	LXTNKY24W26	LXTNKY24W26	SOUTHEAST TELEPHONE, LP
28	NSVLTN17CA1	BWLGKYMASMD	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
		DAVLKYMASMD	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
		LSVLKYAPXIX	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
		MDVIKYMASX	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
		OWBOKYMATMD	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
		WNCHKYMATMD	SPRINT COMMUNICATIONS COMPANY, L.P. - KY
29	IPLTINMADS1	LSVLKYCSDS2	TCG AMERICA INDIANA, INC. (AT&T - LOCAL - KY)
30	LXTNKY01DS0	LSVLKYAPX0X	TOUCHTONE COMMUNICATIONS, INC. DBA ALEC, INC. - KY
		LXTNKY01DS0	TOUCHTONE COMMUNICATIONS, INC. DBA ALEC, INC. - KY
31	PDCHKYABDS0	PDCHKYABDS0	TOUCHTONE COMMUNICATIONS, INC. DBA ALEC, INC. - KY
32	LSVNKYPIDS0	LSVNKYPIDS0	US LEC OF TENNESSEE INC. - KY
33	LSVLKY1801W	LSVLKY1801W	WIN.NET TELECOMMUNICATIONS, INC. - KY
34	LSVLKY27DS0	LSVLKY27DS0	XSPEDIUS MANAGEMENT CO SWITCHED SERVICES, LLC KY

# State of Kentucky

## BellSouth Serving Area Geographic Markets

(UNE Zones Divided by CEA)



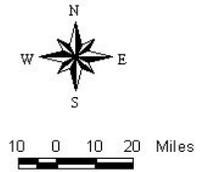
**LEGEND**

- CEA Boundary
- State Boundary

**BellSouth Markets**

- █ Zone1-Cincinnati OH-KY-IN
- █ Zone1-Lexington KY-TN-VA-WV
- █ Zone1-Louisville KY-IN
- █ Zone1-Owensboro KY
- █ Zone1-Paducah KY-IL
- █ Zone2-Bowling Green KY
- █ Zone2-Clarksville-Hopkinsville TN-KY
- █ Zone2-Evansville-Henderson IN-KY-IL
- █ Zone2-Lexington KY-TN-VA-WV
- █ Zone2-Louisville KY-IN
- █ Zone2-Paducah KY-IL
- █ Zone3-Bowling Green KY
- █ Zone3-Clarksville-Hopkinsville TN-KY
- █ Zone3-Lexington KY-TN-VA-WV
- █ Zone3-Louisville KY-IN
- █ Zone3-Memphis TN-AR-MS-KY
- █ Zone3-Nashville TN-KY
- █ Zone3-Owensboro KY
- █ Zone3-Paducah KY-IL

Note: CEA boundaries extending beyond the BellSouth region are not shown.

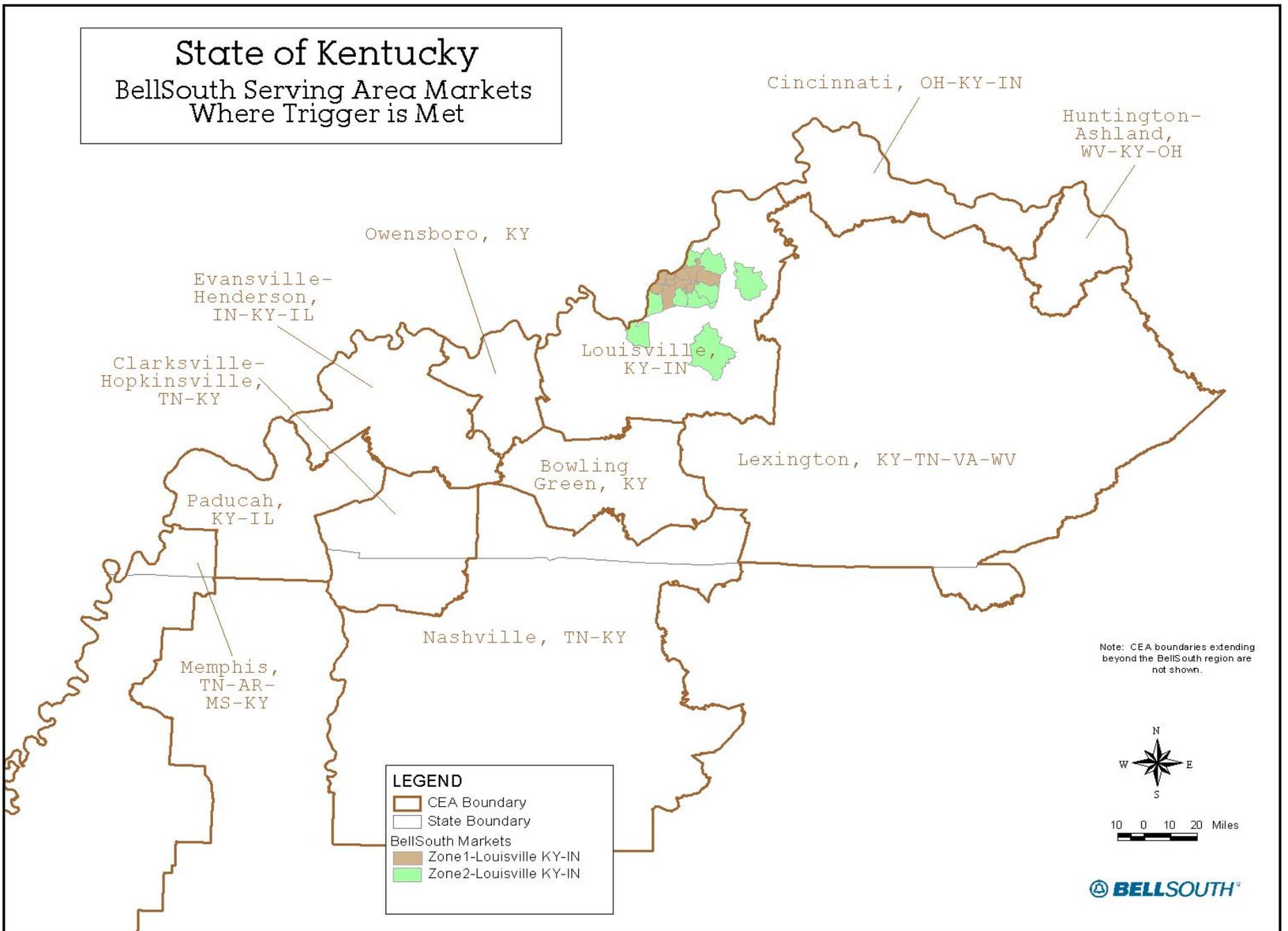


**Kentucky Markets Where Self-Provisioning Trigger is Met**

UNE Zone	CEA
Zone 1	Louisville KY-IN
Zone 2	Louisville KY-IN

# State of Kentucky

## BellSouth Serving Area Markets Where Trigger is Met



**CLECs Self-Providing Switching in Markets Where Trigger is Met\***

Louisville KY-IN, Zone 1

- 1
- 2
- 3
- 4
- 5



Louisville KY-IN, Zone 2

- 1
- 2
- 3
- 4
- 5



\*Based on available data

**Market With Actual CLEC Deployment Where Triggers Not Met**

Zone	CEA
Zone 2	Evansville - Henderson IN-KY-IL

**CLEC With Actual Deployment In Market Where Trigger Not Met**

1. 