

SouthEast Telephone

August 12, 2008

VIA FEDERAL EXPRESS

Ms. Stephanie Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602

RECEIVED

AUG 13 2008

PUBLIC SERVICE
COMMISSION

Re: SouthEast Telephone, Inc., Complainant v. BellSouth Telecommunications, Inc.
d/b/a AT&T Kentucky, Defendant

Dear Ms. Stumbo:

Enclosed for filing are the original and ten (10) copies of SouthEast Telephone's Response to BellSouth Telecommunications, Inc. Answer in PSC Case No. 2008-00279.

Thank you for your attention to this matter.

Sincerely,



Bethany Bowersock
General Counsel

cc: Parties of Record

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

AUG 13 2008

SOUTHEAST TELEPHONE, INC)

Complainant,)

v.)

BELLSOUTH TELECOMMUNICATIONS, INC.)
d/b/a AT&T KENTUCKY)

Defendant)

PUBLIC SERVICE
COMMISSION

CASE NO. 2008-00279

**SOUTHEAST TELEPHONE, INC. RESPONSE TO BELLSOUTH
TELECOMMUNICATIONS, INC. ANSWER**

SouthEast Telephone, Inc. ("SouthEast"), by counsel, hereby submits its Response to the Answer filed by BellSouth Telecommunications, Inc. (d/b/a AT&T Kentucky) on August 1, 2008, as follows:

* * * * *

AT&T's assertion that SouthEast's Complaint should be dismissed as impermissibly vague is without merit. In its Complaint, SouthEast specifically asked this Commission to enforce the provisions of the Commission's Order in PSC Case No. 2004-00427, *In the Matter of Petition of BellSouth Telecommunications, Inc. to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes of Law* (the "Change of Law Order"), relating to AT&T's requirement to provide commingled unbundled network elements and combinations of such elements with wholesale facilities and services, including unbundled elements and services obtained by SouthEast at wholesale from AT&T. The Commission's Change of Law Order is not vague. Nor is SouthEast's Complaint.

AT&T's further allegations with regard to SouthEast's purported failure to set forth the specific elements it is trying to order; the contracts from which it is attempting to order said elements; or the legal authority to which it is entitled to have the elements combined, are absurd. SouthEast's Complaint states as follows: "Specifically, SouthEast asks that the Commission enforce those provisions of its Change of Law Order relating to Issue 14, wherein the Commission ordered BellSouth Telecommunications, d/b/a AT&T Kentucky to provide to its competitors commingled unbundled network elements and combinations of such elements with all wholesale services and facilities, including network elements required to be provided under Section 271 of the Telecommunications Act of 1996."

Paragraphs 7 and 8 of the Complaint go on to state that SouthEast executed an alleged conforming amendment to their current interconnection agreement, which should have conformed the agreement to the requirements ordered by the Commission in its Change of Law Order. SouthEast then began attempting to place orders for commingled Section 251 and Section 271 elements, which were denied. These three paragraphs clearly refute AT&T's claim that the Complaint is "vague."

Next, AT&T asserts that it is technically infeasible to create the combination ordered by SouthEast. The claim is simply wrong. On June 19, 2008, SouthEast placed a manual order, a copy of which is attached hereto as **Exhibit 1**, for the following:

- a. Loop – USOC UEQ2X (Unbundled Copper Loop Non Designed)
- b. Port –USOC UEPRC (Unbundled Exchange Port)

After submitting its order, SouthEast began requesting updates on the status of

its order. SouthEast's inquiries resulted in a series of e-mail exchanges with Eileen Mastracchio, AT&T's Wholesale Support Manager. SouthEast also spoke directly with Ms. Mastracchio on July 8, 2008, stating that it wished to purchase a Section 271 port combined with a Section 251 loop as listed in the order. On July 9, 2008, Ms. Mastracchio e-mailed SouthEast quoted language from AT&T's "Methods Group" stating the following,

"what they want is to commingle a UCL (unbundled Copper loop non design) with Commercial port on one order. I told them their is no such process. If they want to purchase UCL on 1 order and 2nd order for the standalone port. they can connect the 2 at their collo."

The email, attached hereto as **Exhibit 2**, demonstrates that AT&T understood precisely what SouthEast had ordered: a nondesigned copper loop and a port. The commingled loop and port are clearly required by the Commission's Change of Law Order. AT&T's claim in its Answer -- SouthEast placed an order for subloop distribution and a wholesale local platform ("WLP") and attempted to commingle the two -- is inaccurate.

On June 23, 2008, SouthEast specifically asked AT&T the proper way to place an order for a Section 271 port commingled with a Section 251 non-designed loop. AT&T said it would forward SouthEast's question to the process design team. Subsequently, SouthEast received an email dated July 9, 2008, attached hereto as **Exhibit 3**, stating that there is no process in place for AT&T to commingle an unbundled copper loop and a standalone port. If AT&T has not implemented a process to comply with this Commission's Change of Law Order on December 12, 2007, then it has a duty to do so. It is absurd for AT&T to be capable of delaying the implementation of this

process when it has been ordered to do so by the Commission. In short, SouthEast's practical experience in attempting to obtain a commingled loop and port is inconsistent with AT&T's statement in its Answer: "AT&T Kentucky agrees that it is obligated to connect, attach or otherwise link a network element with a wholesale product or, per this Commission's orders, a section 271 element."

In summary: SouthEast has attempted since June 16, 2008 to order a non-designed, unbundled copper loop commingled with a standalone port pursuant to its existing interconnection agreement that allegedly conforms to the Commission's Change of Law Order. SouthEast has requested AT&T advice on how to order this product on numerous occasions and has received no sensible response. If SouthEast mistakenly placed this order using the incorrect USOCs, AT&T had several occasions to notify SouthEast that the USOCs were incorrect. No such notification has been received.

AT&T knows precisely what SouthEast ordered, and there is no reasonable argument that the commingled loop and port desired by SouthEast is not technically feasible. In fact, AT&T is currently using similar elements to complete the loop with which SouthEast deploys DSL.

SouthEast respectfully requests that this Commission enforce its Change of Law Order at the earliest possible date, or in the alternative, SouthEast requests an informal conference to be held at the Commission's earliest convenience.

Deborah T. Eversole
Stoll, Keenon, Ogden, PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202

Respectfully submitted,


Bethany L. Bowersock
SouthEast Telephone, Inc.
106 Scott Ave.
Pikeville, KY 41501
(606) 432-3000

Counsel for SouthEast Telephone, Inc

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing was served via U.S. Mail, postage prepaid, to Mary K. Keyer, 601 W. Chestnut Street, Room 407, P.O. Box 32410, Louisville, Kentucky 40232.



Counsel for SouthEast Telephone

Exhibit 1

Local Service Request (LSR)

Administrative Section	PON	SCOTT	PG	02	OF	12
-------------------------------	-----	-------	----	----	----	----

AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	
AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	
AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	
AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	
AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	
AFA	<input type="checkbox"/>	ACCOUNT FEATURE	<input type="checkbox"/>
ACCOUNT FEATURE DETAIL		<input type="text"/>	

Bill Section	BI1	M	BAN1	502Q950628628	BI2	<input type="checkbox"/>	BAN2	<input type="text"/>
---------------------	-----	---	------	---------------	-----	--------------------------	------	----------------------

ACNA	SEQ	CNO	<input type="checkbox"/>	EBP	<input type="checkbox"/>	VTA	<input type="text"/>
------	-----	-----	--------------------------	-----	--------------------------	-----	----------------------

Local Service
Request (LSR)**Administrative Section**

PON SCOTT

PG 03

OF 12

Contact Section

INIT CHRIS SALYERS

TELNO 8777988780

FAX NO 6064334405

EMAIL CHRIS.SALYERS@SETEL.COM

IMPCON CHRIS SALYERS

TELNO (IMPCON) 8777988780

ALT IMPCON WALLY JUSTICE

TELNO (ALT IMPCON) 8777988780

DSGCON WES MAYNARD

DRC

TELNO (DSGCON) 6064323000

FAX NO (DSGCON) 6064443100

ATR

STREET (DSGCON) 106 POWER DRIVE

FLOOR (DSGCON)

ROOM (DSGCON)

CITY (DSGCON) PIKEVILLE

STATE (DSGCON) KY

ZIP (DSGCON) 41502

RemarksNEW INSTALL AS ADDITIONAL LINE. PLEASE NOTE REQUESTING USOC
OF UCS2X.

End User Service Request

Administrative Section

PON SCOTT

VER 01

PG 04 OF 12

Location and Access Section

LOCNUM 000

EUA

NAME SCOTT PORTER

NCON

AFT

SAPR

SANO 1500

SASF

SASD

SASN STEPHENS BRANCH

SATH RD

SASS

LD1

LV1

LD2

LV2

LD3

LV3

AAI

CITY PRESTONSBURG

STATE KY

ZIP CODE 41653

ORDN

LCON CHRIS SALYERS

TELNO 8777988780

EUMI

ACC WORKING NUMBER IS 6068899966

WSOP

CPE MFR

LOCNUM HEADER

CPE MOD

ELT

IBT

LOCNUM DETAIL

Inside Wire Section

IWO

IWBAN

IWCON

TEL NO (IWCON)

Bill Section

EAN

EATN N

FBI

BILLNM

SBILLNM

STREET

FLOOR

ROOM

CITY

STATE

ZIP

BILLCON

TEL NO (BILLCON)

End User Service Request

Administrative Section	PON	SCOTT	VER	01
-------------------------------	-----	-------	-----	----

DQTY PG 05 OF 12

Disconnect Information	LOCNUM	<input type="text"/>
-------------------------------	--------	----------------------

DNUM DISC NBR TERS TER

TC OPT TC TO PRI TC TO SEC

TC PER

TCID TC NAME

TCID TC NAME

TC TO SEC

TCID TC NAME

TCID TC NAME

TC TO SEC

TCID TC NAME

TCID TC NAME

DNUM DISC NBR TERS TER

TC OPT TC TO PRI TC TO SEC

TC PER

TCID TC NAME

TCID TC NAME

TC TO SEC

TCID TC NAME

TCID TC NAME

TC TO SEC

TCID TC NAME

TCID TC NAME

Port Service Request

Administrative Section	PON	SCOTT	VER	01
-------------------------------	-----	-------	-----	----

PQTY	001	PG	06	OF	12
------	-----	----	----	----	----

Service Detail Section

LOCNUM	000	LNUM	00001	LNEX		NPI		LNA	
LST		TNS		TLI		TERS			
S		OTN		FPI	B	PIC	0432	LPIC	5124
SDI		MATN		TSP		LNECLS SVC	UEPRM		
CKR									
LEAN		LEATN		ISPID					
ECCKT									
OECCKT									
TC OPT		TC TO PRI		TC TO SEC					
TC PER		TC FR							
TCID		TC NAME							
TCID		TC NAME							
TC TO SEC									
TCID		TC NAME							
TCID		TC NAME							
TC TO SEC									
TCID		TC NAME							
TCID		TC NAME							
TC TO SEC									
TCID		TC NAME							
TCID		TC NAME							
JK CODE		JK NUM		JK POS		JR		NIDR	
IWJK		IWJQ		IWJK		IWJQ			
IWT		IWTQ		SYSTEM ID					

Port Service Request

Administrative Section

PON SCOTT

VER 01

PG 07 OF 12

Service Detail Section (Continued)

SHELF SLOT RELAY RACK PULSE

CFA SGNL SSIG

CABLE ID CHAN/PAIR

CCEA

BA BLOCK

FA N FEATURE BCR

FEATURE DETAIL

FA N FEATURE BRD

FEATURE DETAIL

FA N FEATURE CREXV

FEATURE DETAIL

FA N FEATURE ESXDC

FEATURE DETAIL

FA N FEATURE NXMCR

FEATURE DETAIL

FA N FEATURE ESM

FEATURE DETAIL

FA N FEATURE UEPRM

FEATURE DETAIL /ADL

FA N FEATURE UCS2X

FEATURE DETAIL

Directory Listing Request

Administrative Section	PON <input style="width: 150px;" type="text" value="SCOTT"/>	VER <input style="width: 30px;" type="text" value="01"/>
-------------------------------	--	--

LOCNUM <input style="width: 40px;" type="text"/>	DLNUM <input style="width: 40px;" type="text" value="0001"/>	PG <input style="width: 30px;" type="text" value="08"/>	OF <input style="width: 30px;" type="text" value="12"/>
--	--	---	---

Listing Control Section

LACT <input style="width: 20px;" type="text" value="N"/>	ALI <input style="width: 40px;" type="text"/>	RTY <input style="width: 30px;" type="text" value="LML"/>	LTY <input style="width: 20px;" type="text" value="1"/>	EOS <input style="width: 100px;" type="text"/>
STYC <input style="width: 20px;" type="text" value="SL"/>	TOA <input style="width: 20px;" type="text" value="R"/>	DOI <input style="width: 20px;" type="text" value="0"/>	WPP <input style="width: 100px;" type="text"/>	

Listing Indicators Section

DML <input style="width: 20px;" type="text"/>	BRO <input style="width: 20px;" type="text"/>	ADV <input style="width: 20px;" type="text"/>			
STR <input style="width: 20px;" type="text"/>	DLNM <input style="width: 20px;" type="text"/>	PROF <input style="width: 20px;" type="text"/>	DIRIDL <input style="width: 60px;" type="text"/>		
DIRNAME <input style="width: 100%; height: 20px;" type="text"/>					
DIRSUB <input style="width: 100%; height: 20px;" type="text"/>					
OMSD <input style="width: 100%; height: 40px;" type="text"/>					

Listing Instruction Section

LTN <input style="width: 20px;" type="text" value="N"/>	NSTN <input style="width: 150px;" type="text"/>	SHTN <input style="width: 100px;" type="text"/>	
OMTN <input style="width: 20px;" type="text"/>	LEX <input style="width: 40px;" type="text"/>	DNA <input style="width: 20px;" type="text"/>	LNPL <input style="width: 20px;" type="text"/>
LNLN <input style="width: 100%; height: 20px;" type="text" value="Porter"/>			
LNFN <input style="width: 100%; height: 20px;" type="text" value="Scott"/>			
DES <input style="width: 150px;" type="text"/>	TL <input style="width: 60px;" type="text"/>	HS <input style="width: 20px;" type="text"/>	
TITLE1 <input style="width: 100px;" type="text"/>	TITLE2 <input style="width: 100px;" type="text"/>	TLD <input style="width: 100px;" type="text"/>	
TITLE1D <input style="width: 100px;" type="text"/>	TITLE2D <input style="width: 100px;" type="text"/>	NICK <input style="width: 100px;" type="text"/>	

Directory Listing Request

PLA

--



Directory Listing Request

Administrative Section

PON SCOTT

VER 01

PG 09 OF 12

Listing Instruction Section (Continued)

LTXNUM LPHRASE ADI

FAINFO

FATN SO

LAPR LANO 1500 LASF LASD

LASN STEPHENS BRANCH

LATH Rd LASS

LALO

LALOC

LAST LAZC DNO

LXTFY

LTEXT

LXTFY

LTEXT

LXTFY

LTEXT

Directory Listing Request

Administrative Section

PON SCOTT

VER 01

PG 10 OF 12

Listing Instruction Section (Continued)

LXTY

LTEXT

LXTY

LTEXT

Caption/SLU Indent Section

LVL PLS

PLINFO

PLTN

PLSO

FAINFO

FATN

SO

PLFATN

PLFAINFO

Directory Listing Request

Administrative Section

PON SCOTT

VER 01

PG 11

OF 12

Caption/SLU Indent Section (Continued)

LVL PLS

PLINFO

PLEN PLSO

FAINFO

FATN SO PLFATN

PLFAINFO

LVL PLS

PLINFO

PLEN PLSO

FAINFO

FATN SO PLFATN

PLFAINFO

Directory Listing Request

Administrative Section

PON SCOTT

VER 01

PG 12 OF 12

Delivery Address Section

DACT NAME SCOTT PORTER

DDAPR DDANO 1500 DDASF DDASD

DDASN STEPHENS BRANCH

DDATH RD DDASS LD1 LV1

LD2 LV2 LD3 LV3

AAI

CITY PRESTONSBURG

STATE KY ZIP 41653

DIRQTY 0 DIRTYP DIRQTYA 2 DIRQTYNC 2

Advertising Section

SIC YPH

Exhibit 2

-----Original Message-----

Date: Wed, 9 Jul 2008 14:45:59 -0400

From: "MASTRACCHIO, EILEEN G (ATTSNET)" <eg2483@att.com>

To: "Wally Justice" <wally.justice@setel.com>

cc: <oma.miller@setel.com>, "CROSSWHITE, CATHERINE L (ATTOPS)" <cc1037@att.com>, "WASHINGTON, DARRYL (ATTOPS)" <dw5490@att.com>

Subject: RE: Commingled Order Assistance

Wally,

I've contacted the methods group and this the response:

what they want is to commingle a UCL (unbundled Copper loop non design) with Commercial port on one order. I told them their is no such process. If they want to purchase UCL on 1 order and 2nd order for the standalone port. they can connect the 2 at their collo

If you have further questions, please contact your SrCAM Cathy Crosswhite [205-321-4758] who is cc'd on this email.

Eileen Mastracchio

Wholesale Support Manager

AT&T Industry Markets

Tel #: 203 771-0281

Fax #: 203 495-8228

E-mail: eg2483@att.com

Aging seems to be the only available way to live a longer life.

AT&T Proprietary (Internal Use Only)

Not for use or disclosure outside the AT&T companies except under written agreement

"This document contains non-public BOC information and therefore, may not be shared with any employee of a 272 affiliate (e.g., SBC LD, ASI or any AT&T 272 affiliate) or an employee siloed to a 272 affiliate (e.g., employee of SBC Enterprises Services siloed to AT&T) "

Exhibit 3

From: Wally Justice [mailto:wally.justice@setel.com]
Sent: Monday, June 23, 2008 2:30 PM
To: MASTRACCHIO, EILEEN G (ATTSNET)
Subject: Commingled Order Assistance

Ms. Mastracchio,

SouthEast has submitted two orders (PON: SCOTT) that have recently clarified. Both were submitted under the company code 7514.

The first of which is an electronic version that clarified within minutes for, "Invalid USOC for Basic Class of Service Format."

The

second order was submitted manually and clarified after a few days for "Invalid USOC (UEQ2X)." SouthEast should be able to place this order based upon the Kentucky PSC Order in Case Number 2004-00427. In this decision, the PSC ruled that AT&T is required to commingle Section 271 elements with Section 251 unbundled network elements. Following this decision, SouthEast signed and executed AT&T's proposed Change of Law Amendment. Based on this Order and the executed Change of Law

Amendment, SouthEast would like to order USOC UEPRC (Unbundled Exchange Port) and USOC UEQ2X(Unbundled Copper

Loop - Non Designed) together. Can you please instruct us on the proper way to place this order?

Thanks,
Wally Justice
SouthEast Telephone
606-437-3098 Ext. 314

-----Original Message-----

Date: Wed, 9 Jul 2008 14:45:59 -0400

From: "MASTRACCHIO, EILEEN G (ATTSNET)" <eg2483@att.com>

To: "Wally Justice" <wally.justice@setel.com>

cc: <oma.miller@setel.com>, "CROSSWHITE, CATHERINE L (ATTOPS)" <cc1037@att.com>, "WASHINGTON, DARRYL (ATTOPS)" <dw5490@att.com>

Subject: RE: Commingled Order Assistance

Wally,

I've contacted the methods group and this the response:

what they want is to commingle a UCL (unbundled Copper loop non design) with Commercial port on one order. I told them there is no such process. If they want to purchase UCL on 1 order and 2nd order for the standalone port. they can connect the 2 at their collo

If you have further questions, please contact your SrCAM Cathy Crosswhite [205-321-4758] who is cc'd on this email.

Eileen Mastracchio

Wholesale Support Manager

AT&T Industry Markets

Tel #: 203 771-0281

Fax #: 203 495-8228

E-mail: eg2483@att.com

Aging seems to be the only available way to live a longer life.

AT&T Proprietary (Internal Use Only)

Not for use or disclosure outside the AT&T companies except under written agreement

"This document contains non-public BOC information and therefore, may not be shared with any employee of a 272 affiliate (e.g., SBC LD, ASI or any AT&T 272 affiliate) or an employee siloed to a 272 affiliate (e.g., employee of SBC Enterprises Services siloed to AT&T) "