COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REVIEW OF FEDERAL COMMUNICATIONS	)	
COMMISSION'S TRIENNIAL REVIEW ORDER	)	CASE NO.
REGARDING UNBUNDLING REQUIREMENTS	)	2003-00379
FOR INDIVIDUAL NETWORK ELEMENTS	)	

REBUTTAL TESTIMONY OF SHERRY LICHTENBERG

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.
AND

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC

March 31, 2004

1	Q.	**PLEASE STATE YOUR NAME, EMPLOYER AND TITLE.**
2	A.	My name is Sherry Lichtenberg. I am currently employed by MCI as Senior
3		Manager, Operational Support Systems Interfaces and Facilities Development.
4	Q.	**ARE YOU THE SAME SHERRY LICHTENBERG WHO PROVIDED**
5		**DIRECT TESTIMONY IN THIS DOCKET?**
6	A.	Yes.
7	Q.	**WHAT IS THE PURPOSE OF YOUR REBUTTAL TESTIMONY IN THIS**
8		**PROCEEDING?**
9	A.	The purpose of my rebuttal testimony is to rebut the Direct Testimony of
10		BellSouth witnesses Kenneth L. Ainsworth, Ronald M. Pate, Alfred A. Heartley,
11		and Alphonso J. Varner.
12		

<div align="center"><u>**Scalability of BellSouth's Systems**</u></div>

14	Q.	**WHY IS SCALABILITY AN ISSUE?**
15	A.	BellSouth's testimony makes clear that its UNE-L provisioning processes are
16		intensively manual. As explained below, moving from UNE-P to UNE-L would
17		involve a huge increase in UNE-L provisioning volumes. Manual processing of
18		such volumes would give rise to concern even if they were to take place for a
19		single project over a relatively short period, but in fact the manual handling would
20		have to take place day in and day out, month in and month out in every affected
21		Kentucky wire center.

1	Q.	WHAT IS THE RISK OF REQUIRING CLECS TO USE A
2		PROVISIONING PROCESS THAT MAY FAIL TO WORK PROPERLY
3		AT HIGH VOLUMES?
4	A.	The immediate risk is that these volumes would cause a significant increase in
5		human errors that would cause provisioning delays, customer outages and other
6		service problems. Over the longer term, negative customer experience would
7		harm CLECs and ultimately undermine local competition.
8	Q.	SEVERAL BELLSOUTH WITNESSES EMPHASIZE ITS 271
9		APPROVALS IN 2002 IN SUPPORT OF ITS UNE-L PROVISIONING
10		PROCESSES. IS THIS A VALID POINT?
11	A	No. In its *Triennial Review Order*, the FCC rejected the argument that the 271
12		approvals demonstrated that CLECs were not impaired without access to
13		unbundled local switching. The FCC emphasized that UNE-L volumes would
14		increase to levels much higher than were evaluated during the 271 process:

15		While incumbent LECs reference the Commission's determination
16		in multiple section 271 orders that BOCs provision hot cuts at a
17		level of quality that offers efficient competitors a meaningful
18		opportunity to compete, and argue that performance data show that
19		current hot cut performance is satisfactory, even as the number of
20		hot cuts has increased, we find that the number of hot cuts
21		performed by BOCs in connection with the section 271 process is
22		not comparable to the number that incumbent LECs would need to
23		perform if unbundled switching were not available for all customer
24		locations served with voice-grade loops. In the states where
25		section 271 authorization has been granted, unbundled local circuit
26		switching has been available and, accordingly, the BOCs' hot cut
27		performance has generally been limited. Moreover, *we find that*
28		*the issue is not how well the process works currently with limited*
29		*hot cut volumes, rather the issue identified by the record is an*
30		*inherent limitation in the number of manual cut overs that can*
31		*be performed, which poses a barrier to entry that is likely to make*
32		*entry into a market uneconomic. . . . For those reasons, the*

1   *Commission's prior findings in section 271 orders do not support*
2   *a finding here that competitive carriers would not be impaired if*
3   *they were required to rely on the hot cut process to serve all mass*
4   *market customers.*

5

6   (*Triennial Review Order*, ¶ 469 (footnotes omitted, emphasis added).)

7 **Q.**   **DOES BELLSOUTH PRESENT EVIDENCE DEMONSTRATING THAT**

8   **ITS SYSTEMS CAN HANDLE MASS MARKET VOLUMES OF UNE-L**

9   **ORDERS?**

10 **A.**   No. BellSouth for the most part simply promises that it can scale its systems to

11   handle higher volumes if called upon to do so. Such promises were unacceptable

12   to the FCC and should be to this Commission as well. As the FCC stated: "We

13   find . . . incumbent LECs' promises of future hot cut performance insufficient to

14   support [an FCC] finding that the hot cut process does not impair the ability of a

15   requesting carrier to provide the service it seeks to offer without at least some sort

16   of unbundled circuit switching." (*Triennial Review Order*, ¶ 469 n.1437.)

17 **Q.**   **DOES MR. VARNER'S TESTIMONY CONCERNING BELLSOUTH'S**

18   **PERFORMANCE METRICS SUPPORT BELLSOUTH'S CLAIM THAT**

19   **ITS SYSTEMS ARE SCALABLE?**

20 **A.**   No. At best, Mr. Varner's testimony addresses BellSouth's performance with

21   respect to the current low level of UNE-L orders. To make matters worse, his

22   testimony does not give a clear picture of BellSouth's actual performance on

23   UNE-L orders. For example, at page 19 of his testimony, he states that 85.93% of

24   the "UNE Other" (non-UNE-P) LSRs met the flow through standard over a

25   certain period. In fact, however, most UNE-L LSRs do not flow through

26   BellSouth's systems, when LSRs that fall out for manual processing by design are

1		taken into account. Indeed, BellSouth recently acknowledged that for purposes of
2		its force model, it assumed that only 37% of UNE-L LSRs would flow through its
3		systems. In contrast, the percentage of fully mechanized UNE-P migration orders
4		in Kentucky from July 2002 to August 2003 ranged from 75.0 % to 92.2 %.
5		(BellSouth response to AT&T First Interrogatory No. 32.)
6	Q.	**WHAT IS THE SIGNIFICANCE OF THE LOW FLOW THROUGH OF**
7		**UNE-L ORDERS?**
8	A.	Low flow through means that a significant number of UNE-L orders will fall out
9		of the systems and must be processed manually by BellSouth's Local Carrier
10		Service Center. Thus, not only are BellSouth's physical UNE-L hot cut processes
11		(including the processes used to notify CLECs of the status of a cut) intensively
12		manual, but its ordering processes are largely manual as well. Manual ordering
13		processes compound the problems introduced by the manual provisioning
14		processes, increasing still more the chances for human error and customer service
15		outages and other problems.
16	Q.	**HOW DO CURRENT UNE-L INSTALLATION INTERVALS COMPARE**
17		**TO UNE-P INTERVALS?**
18	A.	Regional installation intervals for 2 wire analog loops with LNP were 5.06 days
19		for non-design loops and 5.32 days for design loops in October 2003. During that
20		same period, comparable UNE-P installation intervals were 0.36 days for non-
21		dispatch orders and 1.52 days where dispatch was required. (See October 2003
22		report entitled "FOCI UNE and Non-Design Fully Mech Non-Dispatch SQM

1   (Region).") Thus, even at current volumes UNE-L migrations take substantially

2   longer than UNE-P migrations.

3 **Q.** **BELLSOUTH WITNESSES AINSWORTH AND PATE POINT TO THIRD**

4   **PARTY TESTING AS EVIDENCE THAT BELLSOUTH'S SYSTEMS**

5   **SUPPORTING UNE-L ARE ADEQUATE. DO YOU AGREE?**

6 A. No. Mr. Ainsworth refers to process and transaction testing of hot cuts (PPR-9

7   and TVV-4) at pages 16-17 of his Direct Testimony, but both of the tests he refers

8   to involved low volumes of orders, either issued by BearingPoint or a CLEC. In

9   addition, the tests did not evaluate the ancillary processes necessary in a UNE-L

10   environment, such as LNP, E911, and CLEC-to-CLEC migrations. At page 13 of

11   his Direct Testimony, Mr. Pate refers to another test (TVV-2) done for normal,

12   peak and stress volumes, but fails to note that the orders tested did not go through

13   the physical provisioning process, meaning there were no actual hot cuts

14   performed. Moreover, TVV-2 involved mostly orders that flowed through

15   BellSouth's order processing systems without human intervention, and thus

16   involved an order mix quite different from one with just UNE-L orders. The

17   bottom line is that BearingPoint never did volume testing of BellSouth's physical

18   hot cut process, nor for that matter was there any volume testing that focused

19   exclusively on UNE-L orders. Third party testing provides no evidence of how

20   BellSouth's systems could be expected to perform with mass market volumes.

21 **Q.** **BELLSOUTH WITNESSES AINSWORTH AND HEARTLEY DISCUSS A**

22   **FORCE MODEL THEY SAY PREDICTS THE NUMBER OF**

23   **PERSONNEL THAT WOULD NEED TO BE ADDED TO HANDLE**

1		**ADDITIONAL VOLUMES OF HOT CUTS. DOES THIS MODEL**
2		**ESTABLISH WHETHER BELLSOUTH CAN SEAMLESSLY PROCESS**
3		**HIGH VOLUMES OF UNE-L ORDERS?**
4	A.	No. To the contrary, this testimony demonstrates how intensively manual
5		BellSouth's processes are because BellSouth's only proposed way to address
6		much higher volumes of hot cuts is to hire more people. The problem that
7		BellSouth fails to acknowledge is that mass market volumes are of a different
8		order of magnitude than BellSouth's manual processes currently encounter. From
9		July 2002 to August 2003, CLECs submitted between 2 to 95 total UNE-L
10		migration orders per month in Kentucky, whereas they submitted between 3,416
11		to 14,951 total UNE-P migration orders per month during the same period.
12		(BellSouth responses to AT&T First Interrogatory Nos. 28 and 32.) Using a
13		mathematical model to calculate the number of additional people that would be
14		necessary in theory to handle such increased volumes fails to address the
15		fundamental question of whether simply staffing up can address the problem. In
16		the end, BellSouth just says "trust me." The Commission should not accept that
17		paper promise since every hot cut that fails will directly impact a Kentucky
18		consumer.
19		
20		<u>**Ability of BellSouth's Systems to Process All Types of UNE-L Orders**</u>
21	**Q.**	**DOES BELLSOUTH ADDRESS ALL THE ORDERING SCENARIOS**
22		**YOU ADDRESSED IN YOUR DIRECT TESTIMONY?**

1   A.   No. BellSouth focuses on migrations from BellSouth to CLECs and ignores other

2   kinds of transactions, such as CLEC-to-CLEC migrations.

3   **Q.**   **PLEASE DESCRIBE WHAT IS INVOLVED IN MIGRATING A**

4   **CUSTOMER FROM ONE CLEC TO ANOTHER.**

5   A.   Of course, the loop needs to be moved from the losing CLEC's circuit appearance

6   (CFA) to the winning CLEC's CFA, but that process will not provide the

7   customer with the service that he has ordered. A CLEC-to-CLEC migration

8   requires the losing CLEC to make the loop available to the winning CLEC for re-

9   use, which requires providing the correct circuit ID (the physical identifier for the

10   circuit being used to provide the customer's service) and channel and pair

11   assignment information to the winning CLEC. In addition, the losing CLEC must

12   initiate the 10-digit LNP trigger in its switch and unlock the E911 database.

13   While BellSouth is not directly involved in this process, the customer will not

14   have the service he has requested until that process is complete. This

15   Commission should not force CLECs to move to UNE-L until the CLEC-to-

16   CLEC migration process is in place and tested, since the only "winner" in the

17   chaos that will ensue if customers are "stranded" on one CLEC's platform will be

18   BellSouth.

19   **Q.**   **WHAT SHOULD BE DONE TO DEAL WITH THE REALITY THAT**

20   **IMPAIRMENT ARISES NOT JUST FROM BELLSOUTH'S SYSTEMS,**

21   **BUT FROM OTHER INDUSTRY PLAYERS AS WELL?**

22   A.   As I discussed in my Direct Testimony, operational issues should be addressed in

23   Commission-sponsored industry workshops.

1

<div align="center">**Batch Hot Cut Process**</div>

3 **Q.** **HAS BELLSOUTH DEVELOPED AN ADEQUATE BATCH HOT CUT**

4   **PROCESS?**

5 A. No. BellSouth has developed a manually intensive batch ordering process that

6   does not provide a seamless method for transitioning existing UNE-P customers

7   to UNE-L. BellSouth's batch ordering process requires additional steps (a manual

8   spreadsheet, negotiation for due dates and a new batch LSR) to the process. In

9   addition, the process allows BellSouth to set due dates individually for each of the

10   orders in the batch. These additional steps seem to be contrary to the FCC's

11   recommendation that a batch process could simplify, streamline, and shorten the

12   UNE-P to UNE-L migration process.

13 **Q.** **HAS BELLSOUTH STATED THAT IT WILL MAKE IMPROVEMENTS**

14   **TO ITS PROCESS?**

15 A. Yes, BellSouth recently stated in its Florida surrebuttal testimony that it intends to

16   make certain improvements. The manual components of these processes that have

17   been implemented by the various BellSouth ordering and provisioning teams have

18   also recently been addressed in the Change Management Forum. I will address

19   BellSouth's proposal after discussing the problems with the existing process.

20 **Q.** **ARE THERE REASONS TO BE CONCERNED ABOUT THE EXISTING**

21   **BATCH ORDERING PROCESS?**

22 A. Yes. The existing batch ordering process starts with the requirement that the

23   CLEC provide its Account Manager with a manual spreadsheet listing the lines to

<div align="center">8</div>

1   be moved. The Account Manager has 4 business days to review the spreadsheet

2   and assign due dates to each of the 99 separate accounts that can be listed. (For a

3   carrier providing residential service, the 99 accounts will translate to 99 individual

4   customers.) The Account Manager then will return the spreadsheet to the CLEC.

5   Unlike all other ILECs, BellSouth does not necessarily assign the same due date

6   to each of the lines on the spreadsheet, but assigns dates based on the Project

7   Manager's discussions with the provisioning centers. BellSouth's apparently

8   random date selection will not allow CLECs to plan for the transition of their

9   customers and will create more work for all involved. Once the CLEC receives

10   the spreadsheet with the listing of lines and proposed completion dates, the CLEC

11   must create the batch ordering LSR – only then can the orders be submitted

12   electronically to BellSouth's OSS. BellSouth's internal systems will "explode" a

13   single batch LSR into multiple LSRs. This process did not exist and therefore

14   was not tested during the 271 proceedings, and depends on OSS changes

15   implemented after that testing and not stressed by the volumes of orders that will

16   exist when CLECs begin moving their customers to UNE-L. I am concerned that

17   once CLECs begin to use this process, it will result in more orders falling to

18   manual handling and more errors. At the very least, the batch ordering process

19   adds steps to a process that should simplify the UNE-L ordering process. And

20   because BellSouth's systems must issue multiple internal orders for each LSR,

21   problems such as the premature disconnects, which were a problem with UNE-P

22   until BellSouth removed its two order process, would likely recur.

1 Q.   **HOW WOULD BELLSOUTH'S BATCH ORDERING PROCESS AFFECT**

2   **CLECS?**

3 A.   CLECs would need to develop new software to develop and send the batch LSR.

4   Additional software may also be necessary to accept the notifiers issued for the

5   individual LSRs created by the BellSouth internal systems, since the current

6   ordering processes for both UNE-P and UNE-L include a one-to-one correlation

7   between orders issued and FOCs and other notifiers received. Thus, if a CLEC

8   submitted a batch LSR via EDI, it would expect to receive an FOC for this

9   submission, rather than FOCs for each of the orders included in the batch LSR.

10   MCI believes that the process can be enhanced very easily by removing the

11   requirement for a spreadsheet, a negotiation process, or the single "batch LSR."

12   Since BellSouth has stated that the batch LSR will not receive a special notifier,

13   CLECs will need to modify their systems to accept notifiers for orders they did

14   not submit (the "exploded" orders) and somehow track these notifiers to ensure

15   that all of the orders in the batch have been created and have received the

16   appropriate notifier. MCI would prefer a process that provides standard due dates

17   and allows the issuance of individual LSRs, rather than the creation of a manual

18   spreadsheet and a negotiation session with a Project Manager. Although

19   BellSouth has announced that it will "discuss" this requirement in Change

20   Management as a result of CLEC-initiated change requests, it continues to refuse

21   to collaborate with CLECs to develop a true batch hot cut process. BellSouth is

22   the only RBOC that has not established collaboratives to develop a batch hot cut

1		process, preferring instead to simply tell CLECs and this Commission that the
2		existing process is "good enough."
3	Q.	**IS BELLSOUTH'S BATCH ORDERING PROCESS EFFICIENT?**
4	A.	No. The four business days BellSouth requires for initial negotiation is far too
5		long; the entire process from start to finish should take five business days.
6		CLECs should not be forced to perform additional steps. Due dates should be
7		decided in advance using a scheduling tool such as the one that that SBC and
8		Qwest are proposing. Communications between the ILEC and the CLEC should
9		be electronic, using a system similar to the Verizon WPTS hot cut tool, the Status
10		Tool recently proposed by Qwest, or the SBC-proposed PWS system. Adding
11		these tools would greatly improve BellSouth's process.
12	Q.	**HOW DOES THE BATCH ORDERING PROCESS ADDRESS LINE**
13		**SPLIT LINES?**
14	A.	My understanding is that when a customer is served by a UNE-P voice CLEC and
15		a data CLEC over a line splitting configuration where BellSouth provides the
16		splitter and the customer is being migrated to a UNE-L loop, BellSouth will
17		disconnect the CLEC line from the splitter and thus take down the customer's
18		data service. The line would then be migrated to UNE-L. Theoretically, the
19		CLEC could then order that the line splitting be re-installed using its own splitter,
20		but BellSouth has yet to provide information on how this process will be
21		accomplished, particularly if the CLEC is teaming with a data CLEC to provide
22		line splitting via a second collocation arrangement (one for data). More
23		importantly, since BellSouth continues to refuse to perform line splitting cross-

1		connects at the main distribution frame (MDF), CLECs will be unable to use
2		whatever process BellSouth eventually does implement. In addition, BellSouth
3		has provided no information on how a line splitting customer served by a CLEC
4		provided splitter can be migrated to a UNE-L with a line splitting arrangement. A
5		process that does not allow the customer to retain his or her data provider when he
6		moves to UNE-L is not acceptable and harms customers directly. This process
7		must change so the customer's line splitting arrangement is not taken down.
8	Q.	**WHAT PROCESS IMPROVEMENTS HAS BELLSOUTH STATED IT**
9		**WILL MAKE?**
10	A.	BellSouth has stated that it will include CLEC-to-CLEC migrations in its batch
11		process; guarantee that an all the lines of an end user's account will be cut on the
12		same day; include after-hours and Saturday cuts; guarantee a four-hour window
13		for coordinated hot cuts; include a timely restoral process if there is a problem
14		with the cut; implement a web-based communication system for non-coordinated
15		cuts; reduce the provisioning interval to 8 days; implement a scheduling tool; and
16		include DS0 EELs in the batch process. In addition, BellSouth has "promised" to
17		create some sort of web-based batch hot cut tracking system, to implement a due
18		date scheduler (which will potentially eliminate the need for both the spreadsheet
19		and the negotiation with the Project Manager), and to include CLEC to CLEC
20		UNE-P to UNE-L migrations in the hot cut process. Unfortunately, BellSouth has
21		yet to fully explain these changes to CLECs or to provide Change Requests
22		regarding these changes to the Change Management forum.
23	Q.	**WILL THESE PROBLEMS ADDRESS ALL OF MCI'S CONCERNS?**

1 **A.** No. Although BellSouth's proposal appears to be a step in the right direction,

2 there are a number of problems with it. As an initial matter, BellSouth has

3 provided little detail with its proposal and it appears that much of the proposal

4 would be implemented after the Commission's ruling in this proceeding, so

5 neither the Commission nor the parties will be able to evaluate the effectiveness

6 of the new process for purposes of this case. BellSouth does not state whether the

7 due date negotiation process will continue to be required, whether CLECs will

8 continue to be required to submit a spreadsheet listing its proposed migration

9 orders as a prerequisite to negotiations with the project manager, and what

10 systems will be used to update the "automated status tool." The limited level of

11 detail BellSouth has provided does not allow this Commission or CLECs to

12 determine whether it meets their needs.

13 **Q. HAVE CLECS SUBMITTED CHANGES TO THE BELLSOUTH BATCH**

14 **HOT CUT PROCESS THROUGH THE CHANGE MANAGEMENT**

15 **PROCESS?**

16 A. Yes. CLECs have jointly submitted 7 change requests to BellSouth in an attempt

17 to "jump start" the discussions on this process. BellSouth has rejected some of

18 these proposals as not "technically feasible," but has yet to explain what they

19 will do, when they will do it, or what OSS changes will be required [1]

20 **Q. MUST CHANGES BE MADE TO BELLSOUTH'S METRICS TO TAKE**

21 **ACCOUNT OF ITS NEW BATCH PROCESS?**

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[1] During the March 24, 2004 Change Management meeting in Atlanta, BellSouth agreed to call a special meeting with CLECs to discuss these changes in detail.

1 A.   Yes. Once the new process is developed and approved, metrics will need to be

2   created to measure its effectiveness.

3

4   **PriceWaterhouseCoopers Attestation**

5 **Q.   MR. MCELROY DESCRIBES AN ATTESTATION BY**

6   **PRICEWATERHOUSECOOPERS ("PwC") FOR BELLSOUTH. DO YOU**

7   **HAVE ANY INITIAL CONCERNS ABOUT HOW THE TEST WAS**

8   **DONE?**

9 A.   Yes. The test was performed without participation by CLECs or a public service

10   commission, which casts doubt on its objectivity, completeness and conclusions.

11   Because BellSouth has provided only limited information about the test, it is

12   impossible at this juncture for CLECs to evaluate fully the test methodology or

13   results.

14 **Q.   PLEASE COMMENT ON THE SCOPE OF THE ATTESTATION.**

15 A.   Only the lift and lay process was tested. Although PwC states that it issued orders

16   and reviewed the ordering process, there appears to be no data provided with

17   respect to the ordering process. Aspects of UNE-L migration such as LNP,

18   directory listings, trouble handling and 911 were not tested.

19 **Q.   PLEASE COMMENT ON PWC'S METHODOLOGY.**

20 A.   Without a test plan, it is difficult to know what PwC did or how it was done.

21   Based on what is provided in Mr. McElroy's testimony, it appears that the test bed

22   consisted of 750 lines that BellSouth wired to its frames in three central offices.

23   These lines were translated in the BellSouth switches, but did not go to a CLEC

1	collocation cage or switch. When the "migration order" was worked, the lines
2	were re-terminated on the CLEC portion of the BellSouth main distributing
3	frames and then run back to the switches. According to BellSouth, most of the
4	orders were issued using BellSouth bulk ordering process.
5	**Q. PLEASE COMMENT ON THE EXCEPTIONS NOTED BY PWC.**
6	A. For 22 lines, no dial tone was detected prior to the cut, but the cuts were done
7	anyway. If this problem existed for a live customer, and the trouble was on the
8	loop, the customer would have continued to have problems after the cut. If
9	customer were suspended or had had dial tone removed for some reason, the
10	CLEC would not have wanted the cut to proceed.
11	For 3 lines, there was no dial tone for longer than 20-40 minutes, with no
12	explanation given. The result for a real customer would be the inability to make
13	calls during this period.
14	Two lines were cut on the wrong due date (one early and one late). In the
15	case of an early cut, the CLEC might not have completed translations, leaving the
16	customer with no dial tone. Or the CLEC might not be ready to activate the LNP
17	transaction, leaving the customer unable to receive calls. The customer would
18	call for service, the CLEC would report to it to BellSouth as a UNE-P line, and
19	BellSouth would show no record of the customer existing, which could take
20	considerable time to resolve. A similar problem could occur if the cut were late.
21	The CLEC would assume the order was rejected and would pull its translations
22	from the switch and submit a new order to BellSouth. Indeed, a late cut is
23	potentially more disruptive than an early cut.

1   One line was cut even though the telephone number was wrong. In such a

2   case the wrong customer would have been migrated. The losing CLEC would

3   receive a loss notice and stop billing the customer. The gaining CLEC would not

4   bill the new customer since no order was placed for that migration. If the

5   customer reported trouble to the losing CLEC, it would not be able to resolve it,

6   since according to BellSouth, it would no longer own the customer. If trouble

7   were reported to the new CLEC, it would turn the customer away, since the

8   customer would not be in its database. BellSouth provides no explanation of why

9   this problem happened. It simply says it was "resolved" by working with the

10   pseudo CLEC.

11   For six lines, CLEC dial tone was not tested prior to the cut. If CLEC dial

12   tone had not been present, the customer would have been migrated with no dial

13   tone.

14   For 47 (according to BellSouth) or 49 (according to PwC) lines, no

15   cutover notification was given. In a non-coordinated cut (which MCI will use for

16   residential customers), BellSouth notifies CLECs of the cut via a fax or email

17   apparently generated by the EnDI system. Testing showed that this system failed

18   on at least one day and presumably more, causing 47 (or 49) notifications to be

19   "misplaced" and not sent. CLECs would have assumed that the customer was not

20   cut over and thus would not have activated the LNP transaction. The customer

21   would have been unable to receive calls. The CLEC would not be aware of the

22   problem until the customer called to complain. The CLEC would then have to

1   work with BellSouth to figure out what the problem was, a process that would

2   take time and cause customer dissatisfaction.

3 **Q.   IS THIS A SMALL NUMBER OF PROBLEMS?**

4 A.   No. Out of the 724 orders observed, 81 problems were noted, or 11% of the total.

5   Just based on the limited information made available to CLECs about the test,

6   therefore, it is clear that BellSouth's batch hot cut process is flawed and that its

7   use would result in significant harm to consumers.

8 **Q.   DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

9 A.   Yes, it does.

<u>AFFIDAVIT</u>

STATE OF _____

COUNTY OF _____

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

He/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, his/her testimony would be set forth in his/her Direct Testimony consisting of ___*53*___ pages and ___*4*___ exhibit(s), and in his/her Rebuttal Testimony consisting of ___*18*___ pages and ___*0*___ exhibit(s).

_____
[Witness Name]

SWORN TO AND SUBSCRIBED BEFORE ME
THIS *30th* DAY OF MARCH, 2004

_____ Notary Public

Capricia Galloway
Notary Public, District of Columbia
My Commission Expires 07-15-2006