

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In The Matter of: )  
REVIEW OF FEDERAL COMMUNICATIONS )  
COMMISSION'S TRIENNIAL REVIEW ORDER )  
REGARDING UNBUNDLING REQUIREMENTS )  
FOR INDIVIDUAL NETWORK ELEMENTS )

Case No. 2003-00379

SURREBUTTAL TESTIMONY OF SHERRY LICHTENBERG

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.

AND

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC

April 13, 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 AND REBUTTAL TESTIMONY IN THIS DOCKET?**

6 A. Yes.

7 **Q. WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY IN**  
8 **THIS PROCEEDING?**

9 A. The purpose of my surrebuttal testimony is to address the Rebuttal Testimony of  
10 BellSouth witnesses Ronald M. Pate, Kenneth L. Ainsworth and Alphonso J.  
11 Varner.

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**Introduction**

14 **Q. DOES BELL SOUTH PROVIDE EVIDENCE IN ITS REBUTTAL**  
15 **TESTIMONY THAT ITS UNE-L ORDERING AND PROVISIONING**  
16 **SYSTEMS CAN HANDLE MASS MARKET VOLUMES?**

17 A. No. As with its direct testimony, BellSouth focuses on its existing UNE-L  
18 processes that currently handle low volumes of orders.

19 **Q. DOES BELL SOUTH ACKNOWLEDGE THAT IMPAIRMENT CAN**  
20 **ARISE IF MIGRATIONS DO NOT TAKE PLACE SEAMLESSLY**  
21 **BETWEEN ALL CARRIERS IN THE DIFFERENT SCENARIOS THEY**  
22 **WILL ENCOUNTER?**

1 A. No. Although BellSouth does not deny that problems exist in CLEC-to-CLEC  
2 migrations, for example, BellSouth's position is that problems arising from  
3 carriers other than itself are irrelevant to the impairment analysis, however real  
4 those problems may be to the carriers involved and their customers. BellSouth  
5 fails to recognize that in a fully competitive market, customers must be able to  
6 move from carrier to carrier seamlessly as they do today in the long distance  
7 market and, to a more limited degree, with UNE-P in the local market. This case  
8 is not just about BellSouth's performance, but about all carriers' -- and their  
9 customers' -- experience.

10 **Q. IS BELLSOUTH WILLING TO WORK COLLABORATIVELY WITH**  
11 **CLECS TO IDENTIFY AND REMEDIATE OPERATIONAL**  
12 **IMPAIRMENT?**

13 A. No. Although BellSouth has participated in one workshop process in Florida with  
14 respect to CSRs, its position generally is that its current UNE-L processes are  
15 good enough and that CLECs should have the burden of identifying specific  
16 problems and then requesting solutions through the change management process.  
17 While the change management process (at least in theory) can work reasonably  
18 well to make software changes to existing electronic processes, it is not suited to  
19 transforming BellSouth's manual and complex UNE-L ordering and provisioning  
20 systems so that they can provide seamless migrations in a facilities-based world.  
21 Making such a transformation will involve a give-and-take process and require  
22 the management and coordination of significant changes to BellSouth's systems  
23 and processes over an extended period. Other ILECs, including SBC, Verizon

1 and Qwest, have worked collaboratively with CLECs to improve their batch hot  
2 cut processes, reducing the number of contested issues dramatically and providing  
3 a good first step toward addressing the entire UNE-L migration process.  
4 BellSouth stands alone as the only RBOC that has refused to undertake such a  
5 collaborative process.

6 In addition to the improvements that BellSouth has stated it will make and  
7 which I referenced in my rebuttal testimony, BellSouth has “promised” to create  
8 some sort of web-based batch hot cut tracking system, to implement a due date  
9 scheduler (which will potentially eliminate the need for both the spreadsheet and  
10 the negotiation with the Project Manager), and to include CLEC to CLEC UNE-P  
11 to UNE-L migrations in the hot cut process. Unfortunately, BellSouth has yet to  
12 fully explain these changes to CLECs or to provide Change Requests regarding  
13 these changes to the Change Management forum. In addition, of the 7 change  
14 requests submitted by CLECs, which I referenced in my rebuttal testimony,  
15 BellSouth has rejected some of these as not “technically feasible” but has yet to  
16 explain what it will do, when it will do it, or what OSS changes will be required.<sup>1</sup>

17 **Q. IN MR. AINSWORTH’S REBUTTAL AT P. 23, BELLSOUTH CONTENDS**  
18 **THAT AT&T IS SEEKING TO REQUIRE BELLSOUTH TO**  
19 **IMPLEMENT ELECTRONIC LOOP PROVISIONING (“ELP”). IS MCI**  
20 **SEEKING TO REQUIRE BELLSOUTH TO IMPLEMENT ELP?**

21 A. No. MCI has not taken a position on AT&T’s ELP proposal in these proceedings  
22 or anywhere else. MCI believes that automation can be introduced into the hot

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<sup>1</sup> 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 cut process in phases, beginning with automating the ordering and tracking  
2 processes via an on-line due date scheduler and tracking system similar to  
3 Verizon's WPTS, and ending with upgrades to BellSouth's physical plant that  
4 will allow for the automated unbundling of loops and cutovers. MCI has not,  
5 however, proposed a wholesale upgrading of that network as a precondition to a  
6 finding of no impairment.

7 **Ordering Systems**

8 **Q. MR. PATE ASSERTS THAT FLOW THROUGH FOR UNE-L IS HIGH. IS**  
9 **HE CORRECT?**

10 A. No. The first chart on page 9 of Mr. Pate's Rebuttal for May-July 2002 shows  
11 flow-through calculations for "UNE," which includes both UNE-L and UNE-P.  
12 Thus, the flow through shown in that category tells one little about flow through  
13 for UNE-L, since the number of UNE-P orders dwarfs the number of UNE-L  
14 orders. The second chart on page 9 purports to show flow through of 86.19% for  
15 UNE-L orders for August 2003. That number does not reflect CLECs' experience  
16 however, because all orders that fall out for manual processing by design are  
17 excluded from consideration.

18 **Q. HAS BELLSOUTH PROVIDED A MORE ACCURATE PICTURE OF**  
19 **UNE-L FLOW THROUGH IN ITS DISCOVERY RESPONSES?**

20 A. Yes. BellSouth provided data in response to AT&T Interrogatory No. 28 showing  
21 the percentage of fully mechanized UNE-L migration orders by region and by  
22 state. For the region the percentage of fully mechanized UNE-L migration orders  
23 in August 2003 was 27.1%. As I noted in my Rebuttal Testimony, BellSouth

1 recently acknowledged that for purposes of its force model, it assumed that only  
2 37% of UNE-L LSRs would flow through its systems. Despite Mr. Pate’s attempt  
3 to cloud the issue, there is really no dispute that manual processing is involved in  
4 most BellSouth UNE-L migration orders.

5 **Q. HOW DO YOU RESPOND TO MR. PATE’S CONTENTION AT P. 8**  
6 **THAT BELLSOUTH’S PERFORMANCE WAS DEEMED ADEQUATE**  
7 **FOR 271 PURPOSES?**

8 A. When BellSouth received authority to provide in-region long distance authority in  
9 Kentucky, the only service delivery method by which CLECs were providing high  
10 volume service to mass market customers was UNE-P. As the FCC found in the  
11 *Triennial Review Order*, “the number of hot cuts performed by BOCs in  
12 connection with the section 271 process is not comparable to the number that  
13 incumbent LECs would need to perform if unbundled switching were not  
14 available for all customer locations served with voice-grade loops.” *Triennial*  
15 *Review Order*, ¶ 469. The flow-through that might be acceptable for low volumes  
16 of UNE-L orders could cause impairment for mass market volumes. And  
17 mechanization percentages on the order of what BellSouth is providing, combined  
18 with its manual provisioning processes, almost certainly would give rise to  
19 impairment for CLECs attempting to submit high volumes of UNE-L migration  
20 orders.

21 **Q. PLEASE COMMENT ON THE CHART ON MECHANIZED LSRS THAT**  
22 **APPEARS ON PAGE 10 OF MR. PATE’S REBUTTAL.**

1 A. The fact that only 2.3% of BellSouth's electronic orders are for UNE-L  
2 demonstrates the relative insignificance of UNE-L today as a mass market service  
3 delivery method. Further, of the 17,943 mechanized UNE-L orders that were  
4 submitted for the region in August 2003, only 3120 were for the migration of  
5 BellSouth retail customers to CLEC UNE-L. (BellSouth Response to AT&T  
6 Interrogatory No. 28.) This constitutes about 1.4% of the 228,326 mechanized  
7 orders to migrate BellSouth retail customers to UNE-P. (BellSouth Response to  
8 AT&T Interrogatory No. 32.)

9 **Q. WITH RESPECT TO LFACS, MR. PATE AT PAGE 16 RELIES ON FCC**  
10 **271 RULINGS THAT BELLSOUTH PROVIDES THE SAME**  
11 **INFORMATION TO CLECS AS IT PROVIDES TO ITSELF. PLEASE**  
12 **RESPOND.**

13 A. This issue must now be viewed in the mass market context. Although BellSouth  
14 may provide the same information to CLECs as it does for itself, BellSouth still  
15 has most of the customers and thus it is the CLECs that will have to do most of  
16 the migrating, at least at first. Inaccurate data will have a disproportionate impact  
17 on CLECs attempting to place high volumes of UNE-L orders. It is therefore  
18 critical that the LFACS database be accurate. Moreover, because high UNE-L  
19 order volumes would lead to frequent LFACS changes (such as when changes are  
20 made to IDLC loops), BellSouth should be required to update the database in real  
21 time.

22 **Q. HAS MCI IDENTIFIED SPECIFIC PROBLEMS IN LFACS THAT WILL**  
23 **IMPACT THE MIGRATION PROCESS?**

1 A. Yes. MCI has identified a defect in accessing the LFACS database that makes it  
2 impossible for CLECs to obtain loop make-up information for customers that  
3 have migrated to UNE-L. BellSouth has agreed that this defect exists and is  
4 scheduled to open a change request to correct it. The inability to determine a  
5 customer's current loop make-up is a critical flaw in the system, since it prohibits  
6 CLECs from determining how the customer has been provisioned (for example, is  
7 the customer now on a copper loop or UDLC, how long is the loop, is the loop  
8 conditioned, etc). and thus will impede the CLEC's ability to manage that  
9 customer and to add other services, such as DSL to the loop. Curiously, this  
10 problem was identified by Supra Telecom in December, but was only accepted as  
11 a defect after MCI brought it to BellSouth's attention once again.

12 **Q. AT PAGES 18-19, MR. PATE CONTENDS THAT NPAC CAN HANDLE**  
13 **INCREASED VOLUMES FROM UNE-L. PLEASE RESPOND.**

14 A. Because mass market UNE-L volumes will be a new experience for the industry,  
15 it remains to be seen whether NPAC can handle such volumes. Not all CLECs  
16 participate in forecasting, and the current forecast does not include UNE-P to  
17 UNE-L transitions. The Commission needs to be sure that the NPAC rules can  
18 account for all the transactions that will take place. NPAC's metrics are not made  
19 available to the public. The Commission and the industry need better insight into  
20 this issue to ensure that there is not a replay of the wireless number portability  
21 experience.



1 **Q. AT PAGE 20 OF HIS REBUTTAL, MR. PATE SUGGESTS THAT CLEC-**  
2 **TO-CLEC MIGRATIONS ARE NOT RELEVANT IN THIS DOCKET. DO**  
3 **YOU AGREE?**

4 A. No. For the reasons I have already discussed, if the industry has not developed a  
5 seamless process for CLEC-to-CLEC migrations, CLECs will be impaired and  
6 their customers will be harmed. All carriers, including ILECs, must be a part of  
7 making this process work. Not only must ILECs be involved in facilitating  
8 CLEC-to-CLEC migrations, but the same or similar processes must be employed  
9 when a UNE-L customer migrates back to an ILEC.

10 **Q. DO YOU AGREE WITH THE APPROACH TO THE CSR ISSUE THAT**  
11 **MR. PATE SUGGESTS IN HIS REBUTTAL?**

12 A. I agree that BellSouth and the CLECs should deal with this issue collaboratively.  
13 I further agree that performance measurements and remedies will need to be  
14 established. Where we may disagree is that MCI believes that a clearinghouse  
15 much like CARE in long distance should be established to facilitate the  
16 transmission of CSR information between carriers.

17 **Q. MR. PATE STATES AT PAGE 24 THAT CLECS DO NOT NEED**  
18 **CIRCUIT IDs TO MIGRATE UNE-P CUSTOMERS TO UNE-L. IS THAT**  
19 **WHAT YOU ASSERTED IN YOUR TESTIMONY?**

20 A. No. My discussion of the need for circuit IDs concerned subsequent migrations  
21 of UNE-L customers. As I acknowledged, circuit IDs are not an issue for the  
22 initial migration from BellSouth to the CLEC. They are an issue, however for

1 subsequent migrations (including subsequent migrations to the ILEC), and it is  
2 critical that the issue be addressed.

3 **Provisioning Systems**

4 **Q. AT PAGE 6 OF HIS REBUTTAL, MR. AINSWORTH STATES THAT**  
5 **THE DATABASE UPDATES YOU DISCUSSED IN YOUR TESTIMONY**  
6 **DO NOT REQUIRE COORDINATION BETWEEN THE CLEC AND THE**  
7 **ILEC. IS THIS CORRECT?**

8 A. Only partially. In the case of completion notifications for non-coordinated orders,  
9 for example, MCI creates its database update transactions electronically, but  
10 cannot release them until BellSouth notifies it that the cutover has been  
11 completed. After CWINS personnel complete the order, BellSouth's EnDI  
12 system generates an email or fax to the CLEC. The CLEC must track the receipt  
13 of these notifiers so that it may initiate the LNP activation process and customers  
14 will not be able to receive calls until this process is complete.

15 **Q. HOW CAN BELLSOUTH CORRECT THIS PROBLEM?**

16 A. BellSouth should work with CLECs to develop an automated method for  
17 notifying them that the conversion is complete. Verizon already has a real-time,  
18 notification system that allows CLECs to track the process of their cutovers  
19 without the manual coordination steps required by BellSouth, and SBC and Qwest  
20 have agreed to develop such a tool. In addition, Verizon has announced that it is  
21 working with the NPAC to determine how it can pull the LNP trigger for the  
22 CLEC so that the risks to customers associated with missing this step can be  
23 eliminated.

1 Metrics

2 **Q. MR. VARNER CONTENDS AT PAGE 4 OF HIS REBUTTAL THAT**  
3 **BELLSOUTH’S MANUAL HANDLING OF UNE-L MIGRATION TASKS**  
4 **DOES NOT RESULT IN ERRORS AND DELAY. HOW DO YOU**  
5 **RESPOND?**

6 A. BellSouth’s performance data is of limited value because CLECs are not  
7 submitting large volumes of UNE-L orders. Moreover, the three hot cut metrics  
8 Mr. Varner refers to do not provide data on non-coordinated cutovers that MCI  
9 would use for residential customers, and in any event only provide a small  
10 window into the overall process, focusing on the hot cut itself and provisioning  
11 troubles within seven days after the cutover.

12 **Q. AT PAGES 4-6 OF HIS REBUTTAL, MR. VARNER CONTENDS THAT**  
13 **BELLSOUTH’S PERFORMANCE DATA REFUTE YOUR CONCERN**  
14 **ABOUT INCREASED OUT OF SERVICE TIMES AND CUSTOMER**  
15 **HARM. PLEASE RESPOND.**

16 A. As a preliminary matter, BellSouth’s performance data only concerns the current  
17 level of UNE-L circuits. Moreover, BellSouth’s metrics only take into account  
18 the BellSouth side of the equation. The fact that the circuit is “broken up”  
19 between two carriers, going from BellSouth’s facilities to the CLEC’s collocation  
20 and switch, could lead to greater outage times, which will not always be captured  
21 by BellSouth’s metrics.

22 **Q. DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?**

23 A. Yes, it does.