

Alabama Public Service Commission

Orders

BELLSOUTH TELECOMMUNICATIONS, INC.,

IN RE: Petition for Approval of a Statement Generally Available Terms and Conditions pursuant to §252(f) of the Telecommunications Act of 1996 and Notification of Intention to File a Petition for In-reg InterLATA Authority with the FCC pursuant to §2 of the Telecommunications Act of 1996.

DOCKET 25835

ORDER

BY THE COMMISSION:

I. INTRODUCTION/BACKGROUND

By Petition filed on or about May 6, 1999, AT&T Communications of the South Central States, Inc. (AT&T) urged the Commission to establish a new Docket for the initiation of an independent third party testing program aimed at assessing the Operational Support Systems (OSS's) which BellSouth Telecommunications, Inc. (BellSouth) provides for Competitive Local Exchange Carriers (CLECs). AT&T attached to its Petition a recommended independent third party testing procedure and outlined in its Petition certain other parameters.

As noted by AT&T, BellSouth's OSS's are the computer systems which enable CLECs to gain access to BellSouth's network in order to obtain resale services and unbundled network elements (UNEs). AT&T maintains that the if CLECs are to have an opportunity to break BellSouth's monopoly control over the local telephone market, they must be assured that BellSouth's OSS's are fully functional and operational and can process significant commercial volumes of orders in a non-discriminatory manner.

AT&T maintains that a properly designed, executed and monitored independent third party testing process will be an efficient way to cut through the ever increasing OSS disputes between BellSouth and the CLECs and to promote the development of OSS's which fully support local competition in Alabama. AT&T points out that the New York Public Service Commission (the New York Commission) recognized the need for a robust and comprehensive independent third party OSS testing procedure and hired Hewlett Packard (HP) as an independent firm to construct "pseudo" or "hypothetical" working systems to interface with Bell Atlantic. Additionally, the New York Commission hired KPMG Pete Marwick (KPMG) as an independent firm to process orders over the "pseudo" systems developed by HP. KPMG was also charged with evaluating all of the related processes, information and personnel resources which BellSouth utilizes to provide CLECs with non-discriminatory access to its network. AT&T asserts that in establishing an OSS testing procedure in Alabama, the Commission could benefit from the experience gained from the testing that has been conducted in New York.

AT&T represents that a properly designed and executed independent third party testing procedure will offer three primary benefits in Alabama. First, AT&T contends that such a procedure would provide the Commission with an objective view of the functionality, capacity and performance of BellSouth's OSS's. According to AT&T, such information, would, when combined with subsequent satisfactory evidence of actual commercial usage, enable the Commission to fully evaluate whether BellSouth's OSS's meet the requirements established under the Telecommunications Act of 1996 (the Act).

AT&T contends that the second primary benefit of conducting an independent third part testing procedure is that such testing will enable the Commission to assess a broad range of functions for a wide array of transactions, including those functions for which extensive commercial usage results are nonexistent. AT&T maintains that the third primary benefit of an independent third party testing procedure is that a properly designed procedure will provide significant insight regarding the operational

capabilities of BellSouth's OSS's and the handling of large volumes of orders placed by CLECs.

AT&T alleges that an independent third party testing procedure will be a critical component of BellSouth's efforts to prove that it meets its legal obligations under the Act with regard to §271 thereof. AT&T accordingly maintains that BellSouth should bear the cost of third party testing. AT&T contends, however, that the knowledge gleaned from the third party testing process being conducted in New York will result in the implementation of a more cost effective process in Alabama.

On or about May 26, 1999, BellSouth submitted its Response to the AT&T Petition discussed above. BellSouth seized on AT&T's recognition that the Commission could derive great benefit from analyzing the third party testing process currently being overseen by the New York Public Service Commission and noted that the Commission could also gain great benefit from observing the results of the third party testing process ordered by the Georgia Public Service Commission (the Georgia Commission) on May 18, 1999. BellSouth argues that the results of the Georgia independent third party testing process will prove especially beneficial in Alabama in light of the fact that the BellSouth OSS's being evaluated in Georgia are the same regional systems that are utilized in Alabama.

BellSouth points out that pursuant to the independent third party testing process ordered by the Georgia Commission, BellSouth's OSS's will be tested to assess their functionality and operational readiness. Specifically, the third party testing in Georgia will be conducted on orders for: (1) UNE analog loops, with and without number portability; (2) UNE switch ports; and (3) UNE business and residence loop/port combinations. BellSouth represents that the testing process in Georgia will encompass the OSS functions of preordering, ordering, provisioning, maintenance and repair, and billing. In addition, the TAG EDI, ECTA, ODUF, EODUF, ADUF, CRIS and CABS interfaces will be tested. BellSouth also asserts that the third party testing process in Georgia will evaluate the overall capacity of BellSouth's OSS's to handle expected commercial volumes of CLEC orders and will include an independent audit of the CLEC order flow through calculation submitted by BellSouth and the service quality measurement (SQM) reports it currently submits on a monthly basis in Georgia and Alabama.

BellSouth contends that the credibility of the Georgia Commission's focused, supervised audit of BellSouth's OSS's is enhanced by the fact that the Georgia staff will work with the designated outside auditing firms in conducting the test and in the preparation of the final recommendations. BellSouth accordingly submits that the Commission should monitor the third party testing ordered by the Georgia Public Service Commission and at this juncture decline to institute any independent third party testing in Alabama. In order to keep the Commission informed fully about the Georgia Public Service Commission's process, BellSouth commits to providing the Commission with reports on the Georgia Commission's test plan and its interim status.

In conclusion, BellSouth contends that the third party testing procedure ordered by the Georgia Commission fully encompasses each of the benefits of third party testing discussed by AT&T in its Petition. Additionally, BellSouth reiterates that the third party testing procedure ordered by the Georgia Commission involves aspects of BellSouth's OSS's that are regional in nature and, therefore, will be applicable for Alabama. BellSouth accordingly requests that it not be required to duplicate in each state in its region the significant third party testing expenses that it will incur in Georgia.

II. FINDINGS AND CONCLUSIONS

We have reviewed the above referenced filings made by AT&T and BellSouth and conclude that independent third party testing of BellSouth's OSS's is vital to the establishment of local competition in BellSouth's service territory. It, therefore, follows that the findings and conclusions resulting from the third party testing of BellSouth's OSS's would provide invaluable assistance to the Commission in our on-going efforts in Docket 25835 to assess BellSouth's Petition for Approval of a Statement of Generally Available Terms and Conditions pursuant to §252(f) of the Telecommunications Act of 1996 and BellSouth's Notification to the Commission of its Intention to File a Petition for In-region InterLATA Authority with the FCC pursuant to §271 of the Act. We accordingly conclude that any and all issues related to the independent third party testing of BellSouth's OSS's should be addressed under Docket 25835.

We are mindful of the independent third party testing procedures implemented by the New York Public Service Commission and the Georgia Public Service Commission. We are particularly interested in the process implemented in Georgia since the Georgia procedure involves the testing of the regional BellSouth systems that are utilized for purposes of this jurisdiction. For that same reason, we are also keenly interested in the recent decision of the Florida Public Service Commission (the Florida Commission) to implement an independent third party testing procedure for BellSouth's OSS's. The Commission is currently evaluating the testing parameters outlined by the Florida Commission, but it initially appears that the Florida procedure will be more encompassing than the procedure mandated by the Georgia Commission. In particular, it appears that the Florida testing procedure will more thoroughly test unbundled network element orders and combinations thereof.

We generally concur with the AT&T and BellSouth positions that this Commission could gain invaluable insight from the OSS testing procedures which will be conducted in other jurisdictions. In fact, the regional nature of the BellSouth OSS's which are being tested in Georgia and Florida raises the question of whether further testing in this jurisdiction will be necessary. We will accordingly monitor the progress and all reported findings from the Georgia and Florida proceedings prior to arriving at any conclusion as to whether independent third party testing of BellSouth's OSS's should be mandated in this jurisdiction. It is our position that the significant cost of such testing should not be unnecessarily duplicated for the testing of systems which are predominantly regional in nature.

Based on the foregoing, we will hold in abeyance AT&T's Petition for Independent Third Party Testing of BellSouth's OSS's while we monitor the status of the testing procedures in Georgia and Florida. Should it become apparent that the Georgia and Florida procedures have insufficiently addressed an area or areas which we feel must be tested on an independent third party basis, we will at such time evaluate the merits of mandating such a testing procedure in this jurisdiction. In the interim, however, we hereby instruct BellSouth to submit, beginning in September 1999, monthly reports to the Commission detailing the status of the OSS testing procedures in the jurisdictions of Georgia and Florida. Said status reports shall be submitted by BellSouth no later than the 30th day of each month until the testing procedures in Georgia and Florida are completed.

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That all issues relating to the independent third party testing of the operational support systems of BellSouth Telecommunications, Inc. will be addressed in this proceeding, Docket 25835.

IT IS FURTHER ORDERED BY THE COMMISSION, That consistent with the reasoning set forth above, the Petition of AT&T Communications of the South Central States, Inc. for the Establishment of an Independent Third Party Testing Program to Assess the Operational Support Systems Provided by BellSouth Telecommunications, Inc. for competitive local exchange carriers is hereby held in abeyance.

IT IS FURTHER ORDERED BY THE COMMISSION, That BellSouth Telecommunications, Inc. shall, commencing in September of 1999, submit to this Commission monthly reports detailing the status of the OSS testing procedures currently being conducted in the jurisdictions of Georgia and Florida. Said status reports shall be submitted by the 30th day of each month until the testing procedures in Georgia and Florida are completed.

IT IS FURTHER ORDERED, That jurisdiction in this cause is hereby retained for the issuance of any further order or orders as may appear to be just and reasonable in the premises.

IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama, this 2nd day of September, 1999.

ALABAMA PUBLIC SERVICE COMMISSION

Jim Sullivan, President

Jan Cook, Commissioner

George C. Wallace, Jr., Commissioner

ATTEST: A True Copy

Walter L. Thomas, Jr., Secretary

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