

THE TENNESSEE REGULATORY AUTHORITY

AT NASHVILLE, TENNESSEE

November 29, 2001

IN RE:

**DOCKET TO DETERMINE THE COMPLIANCE
OF BELL SOUTH TELECOMMUNICATIONS,
INC.'S OPERATIONS SUPPORT SYSTEMS
WITH STATE AND FEDERAL REGULATIONS**

**DOCKET NO.
01-00362**

ORDER DENYING BELL SOUTH'S REQUEST FOR EXTENSION OF TIME

This matter is before the Pre-Hearing Officer on a letter from BellSouth Telecommunications, Inc. ("BellSouth") filed on November 28, 2001. In the letter, BellSouth requested that the Executive Secretary extend the deadline for filing matrices in response to a data request issued on behalf of the Tennessee Regulatory Authority ("Authority" or "TRA").

In the September 13, 2001 *Order Establishing Issues and Procedural Schedule*, the following issue was established:

For the inventory of processes, systems and procedures identified for BellSouth's Tennessee operations in Issue 1, compare such inventory with those processes, systems, and procedures that support BellSouth's wholesale operations in Georgia and Florida. Identify those Tennessee processes, systems and procedures that:

- a. Are the same, physically and functionally, as those used to support BellSouth's Florida operations.
- b. Differ from those used to support BellSouth's Florida operations. Explain in detail any differences.
- c. Are the same, physically and functionally, as those used to support BellSouth's Georgia operations.

- d. Differ from those used to support BellSouth's Georgia operations. Explain in detail any differences.
- e. Are significant to the development of competition in Tennessee?

(Provide a matrix classifying each Tennessee process identified in Issue 1 into the categories identified above.)¹

At the November 8, 2001 Pre-Hearing Conference, AT&T Communications of the South Central States, Inc. ("AT&T") pointed out that BellSouth had not submitted a matrix classifying each Tennessee process identified in Issue I into the categories specified in Issue I, as required in the September 13th *Order Establishing Issues and Procedural Schedule*. BellSouth responded that to do a summary matrix of what was done in a two-year, third party Operations Support System ("OSS") test is a "ridiculous proposition."² The Pre-Hearing Officer resolved this dispute by directing BellSouth to file the matrix by November 13, 2001.³

In the November 14, 2001 *Order Resolving Procedural Motions*, the Pre-Hearing Officer memorialized his decision from the November 8th Pre-Hearing Conference and ordered BellSouth to file a matrix as specified in the issues list included in the September 13th *Order Establishing Issues and Procedural Schedule* no later than Tuesday, November 13, 2001.

On November 13, 2001, BellSouth filed matrices purporting to identify each Tennessee process identified in the above quoted issue established in the September 13th *Order Establishing Issues and Procedural Schedule*.

¹ *In re Docket to Determine the Compliance of BellSouth Telecommunications, Inc.'s Operations Support Systems with State and Federal Regulations*, TRA Docket No. 01-00362 (*Order Establishing Issues and Procedural Schedule*) (filed September 13, 2001) p. 7. One of the purposes of this issue is to allow the Directors to identify all of the actual elements of BellSouth's OSS (e.g., computer systems, databases, and personnel) used to serve competitors in Tennessee. This issue is not related to testing done in other states, as other states' testing will be addressed in Phase II of this docket.

² *Id.* (Transcript of the November 8, 2001 Pre-Hearing Conference, p. 32).

On November 16, 2001, AT&T and TCG MidSouth, Inc. ("TCG") filed a *Motion to Compel Filing of a Compliant Regionality Matrix and to Strike Testimony*. AT&T and TCG argued that the matrices filed by BellSouth merely restated the evaluation criteria and test points used in the Georgia and Florida tests and failed to identify the actual OSS processes, systems and procedures BellSouth uses to support wholesale operations in Tennessee as was required in the September 13th *Order Establishing Issues and Procedural Schedule*. AT&T and TCG specifically noted that the matrices failed to identify the differences between the Direct Order Entry System ("DOE") used in the former Southern Bell states of Georgia and Florida and the Service Order Negotiation System ("SONGS") used in Tennessee.

On November 20, 2001, BellSouth responded that its matrices were compliant with the September 13th *Order Establishing Issues and Procedural Schedule*. BellSouth stated that its matrices set forth all of the systems and processes tested in Georgia and Florida by reference to evaluation criteria in Georgia and test points in Florida. BellSouth asserted that it omitted the DOE and SONGS data from the matrices "because the topics were addressed so thoroughly in the pre-filed testimony."

On November 21, 2001, in recognition of the inadequacy of BellSouth's matrices, the Executive Secretary issued a data request to BellSouth directing it to:

revise the previously submitted matrices by adding the following columns:

- 1.) For each test point and evaluation criteria listed on the matrices identify the specific activity, process and system(s) by name, which are the subject of the test point or criteria.

The Executive Secretary directed BellSouth to submit its responses to the Authority by 3:00 p.m., Friday, November 30, 2001.

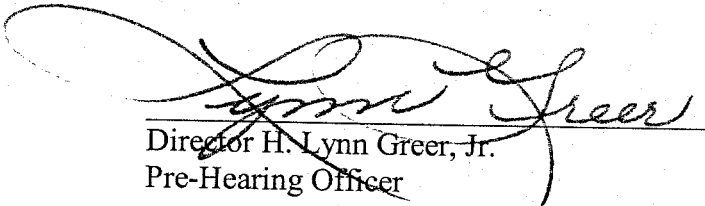
³ *Id.*, pp. 47-48.

In the above-mentioned November 28th letter, BellSouth seeks additional time to respond to the Executive Secretary's data request. BellSouth requests that it be permitted to file the matrices on Monday, December 3, 2001.

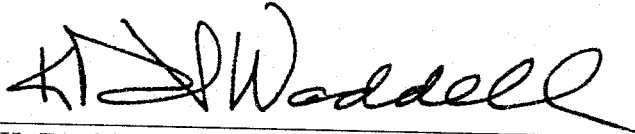
Having reviewed and considered the record, particularly the fact that BellSouth has known of its responsibility to file the matrices since the *Order Establishing Issues and Procedural Schedule* was issued on September 13, 2001, BellSouth's request for an extension of time to file the matrices is denied. To delay the filing of the matrices until the day the Hearing in this action commences will hinder the efforts of the Authority and the intervenors to effectively consider and respond to this evidence. BellSouth has had over sixty (60) days to prepare matrices compliant with the September 13th *Order Establishing Issues and Procedural Schedule*.

IT IS THEREFORE ORDERED THAT:

BellSouth's request for additional time to file matrices compliant with the Executive Secretary's data request of November 21, 2001 is denied.



Director H. Lynn Greer, Jr.
Pre-Hearing Officer



K. David Waddell, Executive Secretary