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February 27, 2004

Honorable Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

In Re: Implementation of the Federal Communications Commission's Triennial Review Order (Nine-month Proceeding) (Hot Cuts)
Docket No. 03-00526

Dear Chairman Tate:

Enclosed please find a CD-Rom and five (5) copies of James Webber's non-proprietary testimony filed on behalf of MCImetro Access Transmission Services, Inc. and Brooks Fiber Communications of Tennessee, Inc. (collectively "MCI") Also enclosed is one (1) proprietary version of Mr. Webber's testimony. Copies of the proprietary version of the testimony have been served on all parties of record.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: Jon Hastings
Jon E. Hastings

JEH/th

Enclosures

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CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2004 a copy of the foregoing document was served on the parties of record, via electronically, US mail or hand delivery.

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BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:

Implementation of the Federal	)	
Communication's Commission's	)	**DOCKET NO.**
Triennial Review Order – 9 MONTH	)	**03-00526**
PROCEEDING – HOT CUTS	)	

DIRECT TESTIMONY OF

James Webber

on behalf of

MCImetro Access Transmission Services, LLC
Brooks Fiber Communications of Tennessee, Inc.

February 27, 2004

PUBLIC VERSION

I. INTRODUCTION

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A My name is James D Webber and my business address is: QSI Consulting, 4515 Barr Creek Lane, Naperville, Illinois 60564

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by QSI Consulting as a senior consultant within the firm's Telecommunication Division. QSI is a privately held consulting firm that provides consulting services to a diverse group of clients within the regulated utility industries including, for example, competitive local exchange carriers, long distance carriers and energy service providers.

Q. PLEASE PROVIDE A SYNOPSIS OF YOUR EDUCATIONAL BACKGROUND AND RELEVANT WORK EXPERIENCE.

A. I earned both a Bachelor of Science degree in Economics (1990) and a Master of Science degree in Economics (1993) from Illinois State University. I have approximately 12 years of experience in the regulated utility industries, with the last 10 years specifically focused on competitive issues within the telecommunication industry.

Prior to accepting my current position with QSI Consulting, Inc., I was employed by ATX/CoreComm as the Director of External Affairs. In that capacity, my responsibilities included management and negotiation of interconnection agreements and other contracts with other telecommunications

carriers; management and resolution of operational impediments (including, for example, the unavailability of shared transport for purposes of intraLATA toll traffic or continual problems associated with failed hot cut processes) arising from relationships with other carriers, management of financial disputes with other carriers; design and implementation of cost minimizations initiatives; design and implementation of legal and regulatory strategies, and, management of the company's tariff and regulatory compliance filings. I was also involved in the company's business modeling as it pertained to the use of Resale services, UNE-Loops and UNE-P

Before joining CoreComm, I was employed by AT&T from November 1997 to October 2000 where I held positions within the company's Local Services and Access Management organization and its Law and Government Affairs organization As a District Manager within the Local Services and Access Management organization I had responsibilities over local interconnection and billing assurance Prior to that position, I had served as a District Manager – Law and Government Affairs where I was responsible for implementing AT&T's policy initiatives at the state level.

Prior to joining AT&T, I was employed (July 1996 to November 1997) as a Senior Consultant with Competitive Strategies Group, Ltd. ("CSG"), a Chicago-based consulting firm that specialized in competitive issues in the telecommunications industry. While working for CSG, I provided expert

consulting services to a diverse group of clients, including telecommunications carriers and financial services firms.

From 1994 to 1996, I was employed by the Illinois Commerce Commission ("ICC") where I served as an economic analyst and, ultimately, as manager of the Telecommunications Division's Rates Section. In addition to my supervisory responsibilities, I worked closely with the ICC's engineering department to review Local Exchange Carriers' – and to a lesser extent Interexchange Carriers' ("IXCs") and Competitive Local Exchange Carriers' ("CLECs") -- tariffed and contractual offerings as well as the supporting cost, imputation and aggregate revenue data.

From 1992 to 1994, I was employed by the Illinois Department of Energy and Natural Resources where I was responsible for modeling electricity and natural gas consumption and analyzing the potential for demand side management programs to offset growth in the demand for, and consumption of, energy. In addition, I was responsible for analyzing policy options regarding Illinois' compliance with environmental legislation.

A more detailed discussion of my educational and professional experience can be found in Exhibit JDW 1, attached to this testimony.

Q. ON WHOSE BEHALF WAS THIS TESTIMONY PREPARED?

A. This testimony was prepared on behalf of MCImetro Access Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc. (collectively, "MCI").

Q: HAVE YOU SUBMITTED TESTIMONY IN THE PROCEEDING BEFORE THE TENNESSEE REGULATORY AUTHORITY ("AUTHORITY") CONCERNING MASS MARKETS SWITCHING, DOCKET NO. 03-00491?

A. Yes. To date I have submitted direct and rebuttal testimony in that docket.

II. PURPOSE AND SUMMARY

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of this testimony is: (1) to describe numerous network operational problems relating to hot cuts that CLECs would be required to address if they were moved to a UNE-L service delivery method in Tennessee; and (2) to discuss steps the Authority should take to address these problems. The FCC concluded that economic and operational barriers associated with the "hot cut" process used by Incumbent Local Exchange Carriers ("ILECs") justify a national finding that requesting carriers are impaired without access to Unbundled Local Switching ("ULS") when attempting to serve the mass market. *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Implementation of the Local Competition Provisions of the Telecommunications*

Act of 1996, and Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket Nos 01- 338, 96-98 & 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, FCC 03-36 (rel. Aug. 21, 2003) ("*Triennial Review Order*" or "*TRO*") at ¶ 476). The FCC also described other operational factors relating to hot cuts, including ILEC unbundling methods and the lack of processes and procedures facilitating the transfer of loops from one CLEC's switch to another CLEC's switch that the FCC believed could add to the impairment faced by CLECs attempting to serve the mass market without access to ULS.

Q. BEFORE SUMMARIZING YOUR TESTIMONY, DO YOU HAVE ANY GENERAL COMMENTS?

A. Yes, I do UNE-P has achieved a certain level of success in becoming a tool for mass market competition in large part because (1) a host of talented people and an enormous number of resources (agency resources, CLEC resources and ILEC resources alike) were dedicated to its development as a commercially viable delivery platform over a period of many years (with the last four years exhibiting the most focused efforts) and (2) because UNE-P involves the end-to-end lease of ILEC facilities, UNE-P provides CLECs access to the customer's loop in much the same manner as that available to the ILEC.

UNE-L currently requires the disconnection of an end-user's loop facility from one carrier's switch and, when successful, the near simultaneous re-

connection to another carrier's switch. Thus, UNE-L presents more challenging operational, technical and network hurdles than UNE-P. Based on the industry's experience with UNE-P over the past several years, it is not realistic to expect that these challenges can be overcome by July 2004. Further, overcoming the operational challenges imposed by UNE-L will be all the more difficult because the Authority no longer has the 271 "carrot" to hold out as an incentive to garner cooperation in the resolution of technical issues. Similar to our experience with UNE-P, it is more logical to assume that the operational and technological issues giving rise to impairment will be resolved over time, and true loop portability – as described throughout this testimony - will become a reality only with the guidance and oversight of the Authority and proper incentives for ILEC cooperation.

Q. PLEASE SUMMARIZE THE REMAINDER OF YOUR TESTIMONY.

A. Before MCI can rely on a UNE-L deployment strategy, issues pertaining to loop facilities, collocation, transport and Enhanced Extended Links ("EELs"), in addition to issues involving loop provisioning, must be first be resolved, to say nothing of the economic issues addressed in Dr. Bryant's testimony in Docket No 03-00491 or the specific customers impacting issues addressed in Ms. Lichtenberg's testimony in this docket and in docket No. 03-00491. As for hot cut issues, which are the focus of this proceeding, the ILECs' processes are intensively manual Not only is the actual cutover of the loop done by hand, but much of the communication back and forth between the carriers is done by

telephone or email. The cumulative effect of managing a mass migration of the embedded base of UNE-P customers to UNE-L, and, simultaneously, coping with substantially increased volumes day in and day out, month in and month out, can be expected to overwhelm an already fragile process that is not as effective as the process used to support mass market customers via the UNE-P. The need to manage multiple provisioning scenarios, such as CLEC-to-CLEC migrations, migrations involving line splitting, and EEL migrations, would only make matters more difficult, and early indications are that the ILECs, especially BellSouth, intend to completely ignore such scenarios altogether Solutions to all of these issues must be in place and tested before UNE-L can be said to be a viable mass market delivery platform.

In addition, as discussed in my testimony in docket no 03-00491, the ILECs' method of unbundling end user loops that are provided over Integrated Digital Loop Carrier ("IDLC") technology involves workarounds that are typically time consuming, expensive and fraught with technological deficiencies that, among other things, implicate the hot cut process Moreover, a workable UNE-L architecture involving hot cuts requires the CLEC to procure and place numerous telecommunications assets for purposes of aggregating and transporting UNE loops from the ILEC's CO to its own switching facility.

Q. BASED ON THESE ISSUES, WHAT DO YOU RECOMMEND?

A. Below is a non-exhaustive list summarizing steps I believe the Authority should take to minimize, if not eliminate hot cut issues giving rise to operational impairment in the geographic markets throughout Tennessee.

a. The Authority should approve, test and implement a *Mass Market Hot Cut* process, as described in this testimony, which is designed to address ongoing carrier-to-carrier migrations. This process should be seamless, timely and economically practicable. Moreover, it should not exclude critical order types such as CLEC-to-CLEC migrations and UNE-P to UNE-L or EEL provisioning scenarios
b. The Authority should approve, test and implement a *Transitional Batch Cut* process that is sufficient to transition the embedded base of UNE-P customers to UNE-L while simultaneously managing increased daily volumes similar to those experienced with UNE-P over the past 12 to 24 months.
c. The Authority should require carriers to employ automated processes that can minimize the level of coordination and communication required to facilitate hot cuts between carriers.
d The Authority should require carriers to use existing and emerging technologies to minimize manual intervention in the hot cut process.
e. As discussed in my testimony in Docket No. 03-00491, the Authority should require that unbundled loops - regardless of whether end-user facilities are currently provided on IDLC systems - be provided on a timely basis without the necessity of "changing" the facilities over which current connectivity is presently provided unless spare copper facilities are readily – and economically – available such that end user service quality will not be diminished in any sense after having received services via an unbundled loop. The Authority also should implement EEL provisioning guidelines that integrate EELs into the Mass Market Hot Cut and Transitional Batch Hot Cut Processes

Q. TO WHAT EXTENT DOES MCI UTILIZE UNE-P IN TENNESSEE?

A MCI is currently serving approximately ***** _____ **** end-user lines via UNE-P in Tennessee from*****_____***** separate BellSouth wire centers.

Q. IS MCI CURRENTLY ABLE TO SERVE ITS EMBEDDED CUSTOMER BASE THROUGH A UNE-L STRATEGY?

A. Setting aside other questions regarding the economic and operational practicability of serving residential and smaller business customers via UNE loops in Tennessee, MCI cannot currently reach its customer base throughout most of the state. As is clearly demonstrated on the map contained in confidential Exhibit JDW-2, MCI's local customers are spread throughout much of the state and MCI is collocated in ***** _____ ***** of BellSouth's central offices. Without collocation or some other method of physically accessing customer loops, such as EELs coupled with a seamless hot cut process capable of handling large volumes of both inbound and outbound customer movement, MCI cannot offer services to most of its current, or embedded, base of customers absent access to unbundled local switching. MCI is currently dependent on ULS to serve the mass market in Tennessee.

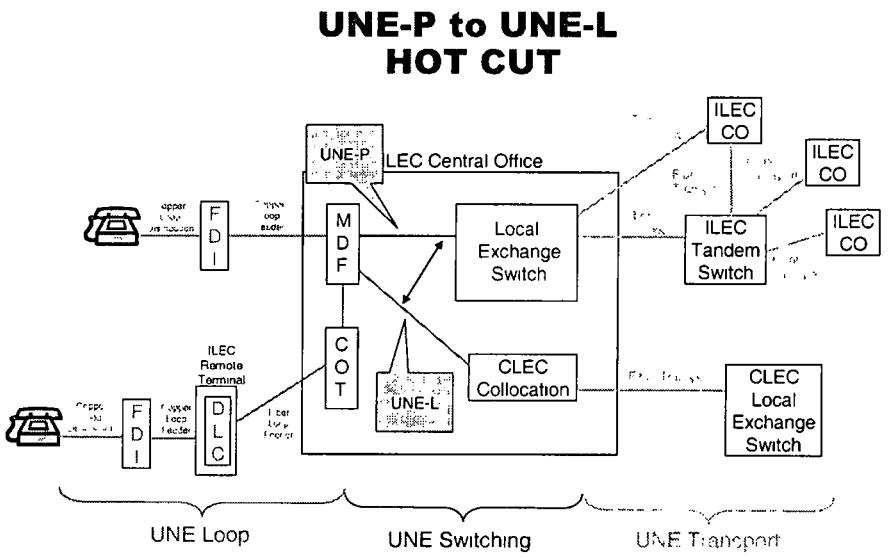
III. BELLSOUTH'S HOT CUT PROCESSES ARE INADEQUATE AND LEAD TO IMPAIRMENT

Q. THERE ARE A NUMBER OF ISSUES IN THIS PROCEEDING RELATED TO HOT CUTS. PLEASE DESCRIBE THE HOT CUT PROCESS AND EXPLAIN WHY THESE ISSUES ARE IMPORTANT.

A. The term "hot cut" describes the near-simultaneous disconnection of a working loop from a port on one carrier's switch and the reconnection of that loop to a port

on a different carrier's switch, without any significant out-of-service period. A hot cut must also include some type of notification made to the appropriate number administrator informing the administrator that the customer's telephone number is now assigned to a different carrier, thereby allowing the customer to receive incoming calls at his or her existing telephone number. In a hot-cut scenario, regardless of whose switch the customer is moving from, and to, the ILEC must perform two manual wiring activities at the main distributing frame ("MDF"): (1) pre-wiring and (2) the actual loop cutover.

During the pre-wiring stage the technician places a jumper between the CLEC tie facility connecting the CLEC's collocation cage to the ILEC CO, and the customer loop. The jumper is terminated at the tie facility but not at the loop side. When the cut is scheduled to begin, the jumper that is connected to the loop side of the existing loop/port arrangement is disconnected and the jumper connected to the receiving CLEC's tie facility is terminated in its place. This completes a circuit between the CLEC facility in its collocation cage and the customer's loop, thereby accomplishing the cut. As discussed above, Local Number Portability ("LNP") translation activities are typically involved with this type of transaction and have traditionally been the responsibility of the receiving carrier. The diagram below provides a high level depiction of the process described above



Q. PLEASE BRIEFLY DESCRIBE THE HOT CUT PROCESSES OFFERED BY BELLSOUTH PRIOR TO THE EFFECTIVE DATE OF THE TRO.

A. It is my understanding that BellSouth had implemented two "flavors" of hot cuts prior to the FCC's *TRO*. BellSouth's "individual" hot cut process is designed to address requests pertaining to individual customer accounts where the affected lines are terminated at the same location Another process, referred to as a "project" hot cut, was designed to address line counts of fifteen or more at a single end user customer location Whereas the individual hot cut process is designed to work without up front negotiations and project management, the project hot cut process – as the name implies – requires up front negotiation and does not adhere to typical provisioning intervals. And, following the FCC's announcement of its *TRO*, BellSouth released a third process it describes as a "batch" hot cut process.

It provides CLECs the ability to order hot cuts on a batch basis so long as the batches include homogenous loop types within a single wire center.

Q. PARAGRAPH 488 OF THE FCC's *TRIENNIAL REVIEW ORDER* DIRECTS STATE COMMISSIONS TO APPROVE BATCH HOT CUT PROCESSES TO BE IMPLEMENTED BY ILECS. ARE THESE PROCESSES DIFFERENT FROM THE EXISTING PROCESSES?

A Yes, they should be significantly different. These new processes – once approved, implemented and tested – will serve two separate but related purposes. MCI recommends that the Authority implement two flavors of hot cut processes that address the FCC's requirements that a "seamless, low-cost batch cut process for switching mass market customers from one carrier to another" be approved which, when implemented, will allow CLECs an opportunity to compete effectively in the mass market (*TRO at* ¶ 487) The first flavor, to which MCI refers as the ***Transition Batch Hot Cut Process,*** should be implemented to effectuate a transition of customers off of UNE-P and onto UNE-L in large quantities, or "batches." This facet of the process should be capable of operating at volumes sufficient to migrate the embedded UNE-P base of customers to UNE-L. A variant of this process should be approved and implemented such that CLECs are able to compete effectively for mass market customers on an ongoing, day-to-day basis both prior to and after a massive transition to UNE-L based facilities should such a migration occur in the future For purposes of clarity, MCI refers to this

daily process as a ***Mass Market Hot Cut Process***. This version of the hot cut process would be used, for example, during the period beginning five months after an Order by a state public service Authority containing a finding of "no impairment" in certain geographic markets, to address daily order volumes currently supported by UNE-P

If an effective, permanent process is not established, CLECs will remain impaired in their ability to address the mass market, for all of the reasons cited in the *TRO* Moreover, the Authority should ensure that hot cut processes are not only "identified" and "documented" but that they are actually tested and implemented, prior to contemplating whether a finding of non-impairment in the absence of ULS is appropriate.

Q. GENERALLY SPEAKING, WHAT ARE SOME OF THE MAIN ISSUES THE AUTHORITY SHOULD CONSIDER WHEN DETERMINING THE PROCESS THAT SHOULD BE EMPLOYED TO PERFORM BATCH HOT CUTS?

A. In addition to the numerous issues described in Ms Lichtenberg's testimony, MCI's concerns regarding ILEC hot cut process can generally be categorized as follows: (1) workability; (2) availability; (3) costs; and (4) scalability. As of September 2003, BellSouth provided 179,401 UNE-P lines to CLECs in

Tennessee, growing at the rate of approximately 7,786 lines per month [1] In markets where CLECs, including MCI, choose to serve their mass market customer base via UNE-L, a hot cut would be required to support each newly won customer, as well as the daily churn and the migration of existing UNE-P based customers to UNE-L *en masse*. The current systems and processes to accommodate this substantially increased volume of hot cuts in a timely manner without customer service interruption are critical. Using existing processes, manual intervention will be required for each loop cutover. In other words, a technician will be dispatched to accommodate the frame manipulation for every single loop that must be transitioned from one carrier to another. This is especially troubling because the ILECs have accomplished very few UNE-L hot cuts in a commercial setting and almost none on a mass markets basis.

Q. PLEASE EXPLAIN YOUR CONCERNS REGARDING "WORKABILITY."

A. A hot cut is, by definition, a coordinated effort on the part of the ILECs and the CLECs to "cut" a loop with minimal disconnection time (*i.e.*, the time in which the customer is connected to no switch or is connected to a switch where his or her telephone number is no longer active) For this reason, the ILECs' hot cut process must be specifically designed to minimize not only the time and cost

[1] Growth is based upon BellSouth's Supplemental Response to AT&T Interrogatory No 55 as well as the FCC's table in Selected *RBOC Local Telephone Data Dec 2002 xls*, located at http //www fcc gov/wcb/iatd/comp html

specific to the ILECs' activities, but also the time and cost associated with the CLEC (both CLEC representatives and CLEC systems) In short, the ILEC's processes must work well not only for itself, but for the CLEC as well. For example, to the extent that CLECs require immediate notification following a completed cut, they should be able to receive such notification without the need to attend a conference call or wait for telephone calls or email. Immediate, electronic notification or web-based update procedures may be beneficial and "workable" for all parties

Q. PLEASE EXPLAIN YOUR CONCERNS ABOUT "AVAILABILITY."

A My understanding is that BellSouth intends to limit both the types of loops and the number of loops accommodated via its hot cut processes in a timely fashion. BellSouth has stated during the course of hot cut workshops that it intends to limit the "batch" hot cut process such that: (1) CLEC-to-CLEC, UNE-L based migrations would not be available via the hot cut process; (2) lines currently involved in a "line splitting" arrangement could not be cut via the hot cut process; (3) IDLC lines may not be available for timely provisioning via the hot cut process, (4) lines to be provisioned over EELs would not be available; and (5) requests for cuts comprised of higher line counts, sent in bulk, in most circumstances would not be available without significant "negotiation" and departure from existing provisioning and performance intervals. All of these restrictions, and others, substantially reduce the benefit provided by the hot cut

process and could severely limit the efficiency with which CLECs could offer mass market services on a UNE-L basis. In short, hot cut processes with these types of restrictions do not overcome the FCC's national finding of impairment and should not be approved by state commissions toward that end I understand BellSouth has stated in the Florida *TRO* proceeding that it intends to address some of these issues, which appears to be a step in the right direction, but the Authority should not rely on such promises of future improvements in making its ruling in this case

Q. EXPLAIN YOUR CONCERNS WITH RESPECT TO HOT CUT COSTS.

A. After substantial time and effort, CLECs and state commissions waded through a plethora of ILEC data to conclude that UNE-P provisioning costs were closer to $1 for a customer migration, rather than the more than $100 originally advocated by ILECs across the country. The lesson to be learned from that experience is that ILECs have an overpowering incentive to dramatically exaggerate the costs associated with provisioning UNEs, and ILEC estimates tend to be based on cost studies that incorporate inefficient procedures or technologies. Likewise, their studies are generally defined by duplicative work steps, exaggerated estimated work times and many other errors all tending toward non-recurring charges substantially in excess of efficiently-incurred costs. MCI is concerned that existing hot cut costs – to the extent they might be applied in the future – and any hot cut charges that may be determined in future proceedings will be

inappropriately based on inefficient processes and technologies and, as a consequence, set at rates that are too high to allow for economic use of the UNE-L strategy for mass market customers. Dr. Bryant addresses these issues in greater depth.

Q. WHAT IS THE MAJOR OBSTACLE TO A SCALABLE HOT CUT PROCESS ON THE PART OF THE ILECS?

A. The major bottleneck in the hot cut processes typically advocated by ILECs exists at the MDF. BellSouth's batch hot cut process, for example, currently requires that each customer migrating to UNE-L must be rewired manually for purposes of connecting the UNE loop to the receiving CLEC's collocation cage. It is easy to envision multiple frame technicians working on a number of individual large business hot cuts concentrated on a given loop count; however, it is equally as easy to envision the potentially chaotic situation that could develop as a result of multiple technicians working simultaneously on a number of large residential single line hot cut projects involving loops appearing in random locations on the frame.

Q. ARE THERE ANY RECOMMENDATIONS YOU CAN MAKE TO THE AUTHORITY REGARDING THE LONG TERM USE OF TECHNOLOGY TO REDUCE LABOR TIMES, EXPENSES AND THE POTENTIAL FOR ERROR IN THE HOT CUT PROCESS?

A. Yes. If policy makers truly intend for UNE-L to replace UNE-P, such that tens of thousands of loops will be "ported" from one carrier to another on a regular basis, technology that automates the loop cutover function is the only way in which to reach that objective. Today's hot cut processes as briefly described above remain largely manual, or labor intensive, and can be made only marginally more efficient with system and process related improvements. While many of these processes and systems changes are important, and can lead to a more efficient, potentially scalable and low cost hot cut methodology, they completely ignore the largest manually intensive step in the process, which is the work of the frame technician to actually cutover the loop.

Q. CAN YOU PROVIDE AN EXAMPLE OF THE SYSTEM OR PROCESS IMPROVEMENTS THAT CAN BE MADE FOR PURPOSES OF IMPROVING THE HOT CUT PROCESS?

A. Many ILECs are experimenting with electronic systems that help the two companies involved in a hot cut first schedule the appropriate activities, and then track the progress of the activities on a near-real-time basis. Verizon, for example, continues to develop its Wholesale Provisioning and Tracking System ("WPTS"), which provides progress toward addressing many of the coordination steps that until now have been performed manually The intention of these systems is to mitigate the need for a three-way conference call that has generally existed between the CLEC, the ILEC frame technician and an ILEC provisioning

agent on the day of the cut (as well as other manual coordination steps) Further, these systems should help to reduce if not eliminate any up-front "negotiation" required between the CLEC and the ILEC in choosing the most efficient time for a given CLEC's hot cut orders to be provisioned. While at least two of the nation's ILECs, SBC and Verizon, have described electronic systems they are currently developing to further automate these non-frame processes, much still needs to be learned about these systems and their capabilities, such as whether they can operate in a system-to-system mode without monitoring by CLEC personnel, whether they can provide real-time access to work step completion information.

Q. DO THE SYSTEMS YOU HAVE DESCRIBED ABOVE ADDRESS MANUAL WORK STEPS ASSOCIATED WITH THE ACTUAL PRE-WIRING AND LOOP CUTOVER ACTIVITIES UNDERTAKEN BY A FRAME TECHNICIAN?

A. No, they do not. Though the pre-wiring and cutover functions undertaken by the ILECs' frame technician represent the most substantial barriers to scalability, reliability and cost reduction, the ILECs are not proposing some type of mechanization or automation of any of these functions within their hot cut process.

Q. DOES TECHNOLOGY EXIST THAT COULD BE USED TO AUTOMATE THESE FUNCTIONS?

A. Yes, for example, Verizon within its network today employs two of the most common types of technology that can be used to cutover a loop without manual intervention: (1) automated or mechanized frame systems and (2) electronic loop provisioning via GR-303. There are numerous vendors that provide these automated loop provisioning systems and each vendor describes in detail how its system can obviate the need for manual intervention in the cutover process Examples of vendors that provide electromechanical and micro-relay type frame systems include NHC (www.nhc com) and Simpler Networks (www.simplernetworks.com), respectively. There are others as well.

Q. PLEASE EXPLAIN THE LIMITATIONS CURRENTLY HINDERING THIS TECHNOLOGY FOR MORE WIDESPREAD USE.

A. Unless required to provide a UNE-L provisioning process approaching the automated efficiency of its retail or UNE-P-based services, the ILECs have little incentive to consider a technology that will make UNE-L a more viable option. Indeed, the local exchange carriers are motivated to delay the implementation of such advances, claiming they are unnecessary, too costly or impossible. As long as the ILECs can convince state commissions that the substantially limited manual processes, and the enormous non-recurring charges they may require, are sufficient, the ILECs have little incentive to automate the process or improve it to any degree beyond that required on a regulatory basis. Accordingly, the ILECs

spend the majority of their time pointing to the limitations of existing equipment rather than describing how it could be improved or trialing innovative alternatives

Q. ARE PROBLEMS ASSOCIATED WITH HOT CUTS EXACERBATED WHEN THE MIGRATION IS FROM ONE CLEC TO ANOTHER?

A. The potential for increased complication for CLEC-to-CLEC cuts certainly exists. The amount of coordination, the information required and a number of other complicating factors are magnified with the introduction of CLEC-to-CLEC hot cuts as well as with myriad other scenarios (*e.g.*, hot cut from a line sharing CLEC to a CLEC handling both the broadband and narrowband application, moves from one CLEC to another wherein the receiving CLEC is serving via the ILEC's resale services and many others). In many of these scenarios, three or more individual carriers as well as providers of ancillary services such as NPAC and PSAPs, are required to cooperate, in real time, for purposes of accommodating this largely manual process A failure at any one of the numerous steps can result in a customer losing service.

Q. SHOULD THE HOT CUT PROCESSES ULTIMATELY IMPLEMENTED BY THE AUTHORITY EXCLUDE ANY PARTICULAR ORDER TYPES?

A. Generally, no While there might be a legitimate reason to exclude some particular order type, such exclusion should be the exception, not the rule. BellSouth, from what I have seen to date, appears to make such exclusions

common place, thus mitigating the potential benefits of improved hot cut processes. To the extent their efforts are successful the process in which we are currently engaged is likely to be for naught.

Q. WHY IS THIS ISSUE IMPORTANT?

A. Customers served by UNE-P today are not homogeneous with respect to service type, customer type, or loop type If BellSouth is successful in maintaining the numerous exclusions it has proposed concerning its hot cut processes, there will be a large number of existing UNE-P customers who will not be able to use the hot cut process. For example, absent the ability to use EELs and CLEC-to-CLEC migrations, it is likely that CLECs will be unable to utilize UNE-L to reach certain customers. Further, to maintain their customers over any length of time on a going-forward basis, CLECs need to be able to address efficiently all customer types represented in their market. That would include, at a minimum, all types of lines that are currently contained within their embedded base.

Q. CAN YOU PROVIDE AN EXAMPLE OF SUCH AN EXCLUSION AND EXPLAIN WHY IT WILL DISRUPT THE CLECS' BUSINESS IF MAINTAINED?

A. Yes, I can provide two of the most important examples. First, I understand that any line that is currently being used for both voice and data services (line sharing or line splitting) will be excluded from BellSouth's proposed hot cut processes

Second, I also understand that BellSouth does not intend to support hot cuts where the receiving carrier is not collocated in the office where an end user's loop is terminated, meaning it will not allow for hot cuts to take place where EELs are used to gain access to end users.

By including these – and potentially other – prohibitions on the use of hot cut processes, BellSouth has substantially reduced the percentage of current and future customers' loops that could potentially benefit from such processes. Even with the improved hot cut processes advocated by the ILECs, CLECs will remain impaired when attempting to serve the mass market customers who happen to fall into these categories. The excluded customers could be well more than half of the mass market. Moreover, to the extent the CLECs are denied a hot cut process for a substantial portion of the network seriously calls into question whether economies of scale will be sufficient enough to warrant any attempt by CLECs to implement UNE-L for the remainder of the market.

Q. DO THE ISSUES OUTLINED ABOVE ADDRESS ALL ATTRIBUTES BY WHICH INCUMBENT LOCAL EXCHANGE CARRIERS' HOT CUT PROCESSES SHOULD BE EVALUATED?

A No, they do not. Ms. Lichtenberg addresses a number of issues in her testimony. Likewise, MCI is continuing to participate in hot cut collaboratives around the country and is providing input and recommendations in any forum where provided the opportunity. Finally, in my testimony in Docket No 03-00491 I address

issues pertaining specifically to loops, collocation, transport and EELs, which relate to hot cuts issues. MCI will comment more fully on these subjects once it has had the opportunity to review the ILECs' testimony in these proceedings and final, detailed proposals concerning its various hot cut proposals

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes, it does.

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Current Position

Senior Consultant, Quantitative Solutions, Inc.

Professional Experience

CoreComm
Director - External Affairs — October 2000 to June 2003
Chicago, Illinois

AT&T
District Manager - Local Services and Access Management — February 1999 to October 2000
Chicago, Illinois

AT&T
District Manager - Law and Government Affairs — November 1997 to February 1999
Chicago, Illinois

Competitive Strategies Group, Ltd
Senior Consultant — July 1996 to November 1997
Chicago, Illinois

Illinois Commerce Commission
Manager, Rates Section - Telecommunications Division — March 1996 to July 1996
Springfield, Illinois

Illinois Commerce Commission
Economic Analyst, Rates Section - Telecommunications Division — March 1994 to March 1996
Springfield, Illinois

Illinois Department of Energy and Natural Resources
Research Project Coordinator — February 1992 to March 1994
Springfield, Illinois

Education

Master of Science, Economics - 1993
Illinois State University, Normal, IL.
Thesis: *An Analysis of the Effects of Fiscal Policy on Real Interest Rates in the United States: (1973-1990).*

Bachelor of Science, Economics - 1990
Illinois State University, Normal, IL.

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Testimony Profile and Experience

Federal Communications Commission

File No. EB-01-MD-017
In the matter of CoreComm Communications, Inc. and Z-Tel Communications, Inc., Complainants v. SBC Communications Inc., Southwestern Bell Telephone Company, Pacific Bell Telephone Company, Nevada Bell Telephone Company, The Southern New England Telephone Company, Illinois Bell Telephone Company, Indiana Bell Telephone Company, Inc., Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell, Inc.
On behalf of CoreComm Communications, Inc.

Florida Public Service Commission

FPSC Docket No.030851-TP
In re: Implementation of requirements arising from Federal Communications Commission's triennial UNE review: Local Circuit Switching for Mass Market Customers. .
On behalf of MCImetro Access Transmission Services LLC and MCI WorldCom Communications, Inc

Georgia Public Service Commission

Docket No. 17749-U
In re: FCC's Triennial Review Order Regarding the Impairment for Local Switching for Mass Market Customers
On behalf of MCImetro Access Transmission Services, LLC MCI WORLDCOM Communications, Inc

Illinois Commerce Commission

ICC Docket No. 00-0700
Illinois Commerce Commission on its own motion -vs- Illinois Bell Telephone Company. Investigation into tariff providing unbundled local switching with shared transport.
On behalf of CoreComm Illinois, Inc.

ICC Docket Nos. 97-0516, 97-0601, and 96-0602
Illinois Commerce Commission on its own motion -vs- Illinois Bell Telephone Company; et al. Investigation into non-cost based access charge rate elements in the intrastate access charges of incumbent local exchange carriers in Illinois. Illinois Commerce Commission on its own motion Investigation into implicit universal service subsidies in intrastate access charges and to investigate how these subsidies should be treated in the future.
On Behalf of AT&T Communications of Illinois, Inc.

ICC Docket Nos. 96-0486 and 96-0596
Illinois Commerce Commission on its own motion Investigation into forward looking cost studies and rates of Ameritech Illinois for interconnection, network elements, transport and termination of traffic. Illinois Bell Telephone Company Proposed rates, terms and conditions for unbundled network elements.
On behalf of AT&T Communications of Illinois, Inc.

ICC Docket Nos. 95-0458 and 95-0531
AT&T Communications of Illinois, Inc. Petition for a total local exchange wholesale service tariff from Illinois Bell Telephone Company d/b/a Ameritech Illinois and Central Telephone Company Pursuant to

section 13-505.5 of the Illinois Public Utilities Act. LDDS Communications, Inc. d/b/a LDDS Metromedia Communications. Petition for a total wholesale network service tariff from Illinois Bell Telephone Company d/b/a Ameritech Illinois and Central Telephone Company pursuant to Section 13-505.5 of the Illinois Public Utilities Act.
On behalf of the Staff of the Illinois Commerce Commission

ICC Docket Nos. 95-0201 and 95-0202
Illinois Bell Telephone company proposed establishment of separate rate elements for single line versus multiline business access line customers. Illinois Bell Telephone company proposed establishment of separate rate elements for directory assistance to business sand residence customers.
On behalf of the Staff of the Illinois Commerce Commission

ICC Docket No. 94-0048
IntraLATA Presubscription Rule Making.
On behalf of the Staff of the Illinois Commerce Commission

ICC Docket Nos. 94-0096, 94-0117, and 94-0146
Proposed Introduction of a Trial of Ameritech's Customers First Plan in Illinois, et al.
On behalf of the Staff of the Illinois Commerce Commission

Indiana Regulatory Utility Commission

IRUC Cause No. 40571-INT-03
AT&T Communications of Indiana, Inc. TCG Indianapolis petition for arbitration of interconnection rates terms and conditions and related arrangements with Indiana Bell Telephone Company, Incorporated d/b/a Ameritech Indiana pursuant to Section 252(b) of the Telecommunications Act of 1996.
On behalf of AT&T Communications of Indiana, Inc and TCG Indianapolis.

IRUC Cause No. 40785
In the matter of the investigation on the Commission's own motion into any and all matters relating to access charge reform and universal service reform including, but not limited to high cost or universal service funding mechanisms relative to telephone and telecommunications services within the state of Indiana pursuant to IC 8-1-2-51, 58, 59, 69; 8-1-2.6 ET. SEC. and other related state statutes, as well as the Federal Telecommunications Act of 1996 (47 U.S.C. Sec. 151, ET. SEC.)
On behalf of AT&T Communications of Indiana, Inc.

IURC Cause No. 40611
In the matter of the Commission investigation and generic proceeding on Ameritech Indiana's rates for interconnection, service, unbundled elements, and transport and termination under the Telecommunications Act of 1996 and related Indiana statutes.
On behalf of AT&T Communications of Indiana, Inc.

Michigan Public Service Commission

MPSC Case No. U-13796
In the matter, on the Commission's own motion, to facilitate the implementation of the Federal Communication Commission's Triennial Review determinations in Michigan
On behalf of Sage Telecom, Inc

MPSC Case No. U-12622

James D. Webber

In the Matter of the application of Ameritech Michigan for approval of shared transport cost study and resolution of disputed issues related to shared.
On behalf of CoreComm Michigan, Inc.

MPSC Case No. U-12465
In the matter of the application of AT&T Communications of Michigan, Inc., and TCG Detroit for arbitration of interconnection rates, terms and conditions and related arrangements with Ameritech Michigan Pursuant to 47 USC 252(b).
On Behalf of AT&T Communications of Michigan, Inc., and TCG Detroit.

MPSC Case No. U-11831
In the matter, on the Commission's own motion, to consider the total long run service incremental costs for all access, toll, and local exchange services provided by Ameritech Michigan.
On behalf of AT&T Communications of Michigan, Inc.

MPSC Case No. U-11743

MPSC Case No. U-11757

MPSC Case No. U-11448
In the matter of the application of the Michigan Exchange Carriers Association, Inc., for approval of a joint total service long run incremental cost study.
On behalf of AT&T Communications of Michigan, Inc. and MCI Telecommunications Corporation.

MPSC Case No. U-11280
In the matter, on the Commission's own motion, to consider the total service long run incremental costs and to determine the prices of unbundled network elements, interconnection services, resold services, and basic local exchange services for Ameritech Michigan.
On behalf of AT&T Communications of Michigan, Inc.

Public Utility Commission of Ohio

PUCO Case No. 02-579-TP-CCS
In the matter of the Complaint of CoreComm Newco, Inc., Complainant, V. Ameritech Ohio, Respondent.
On behalf of CoreComm Newco, Inc.

PUCO Case No. 00-942-TP-COI
In the matter of the further investigation into Ameritech Ohio's entry into in-region interLATA service under section 271 of the Telecommunications Act of 1996.
On Behalf of CoreComm Newco, Inc.

PUCO Case No. 00-1188-TP-ARB
In the matter of the application of AT&T Communications of Ohio Inc. and TCG Ohio for arbitration of interconnection rates, terms and conditions and related arrangements with SBC Ohio.
On Behalf of AT&T Communications of Ohio, Inc.

PUCO Case No. 96-899-TP-ALT
In the matter of the application of Cincinnati Bell Telephone Company for approval of a retail pricing plan which may result in future rate increases and for a new alternative regulation plan.
On Behalf of AT&T Communications of Ohio, Inc.

PUCO Case No. 96-366-TP-ALT

James D. Webber

In the matter of the complaint of AT&T Communications of Ohio, Inc., Complainant, V. Ameritech Ohio, Respondent, In the matter of the implementation of substitute Senate Bill 306 or substitute House Bill 734 of the 121st General Assembly.
On Behalf of AT&T Communications of Ohio, Inc.

PUCO Case No. 96-922-TP-UNC
In the matter of the review of Ameritech Ohio's Economic Costs for Interconnection, Unbundled Network Elements, and Reciprocal Compensation for Transport and Terminations of Local Telecommunications Traffic.
On Behalf of AT&T Communications of Ohio, Inc.

Public Service Commission of Wisconsin

PSCW Docket No. 2815-TR-103
Application of CenturyTel of the Midwest-Kendall LLC Requesting Public Service Commission to Approve Alternative Regulation Plan.
On behalf of AT&T Communications of Wisconsin, L.P. and TCG Milwaukee.

PSCW Docket No. 05-TI-174
Generic review of carrier performance and consumer benefits under alternative regulation.
On behalf of AT&T Communications of Wisconsin, Inc.

JDW-2 IS A PROPRIETARY EXHIBIT