



**BOULT • CUMMINGS
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T.R.A. DOCKET ROOM

September 10, 2004

Hon. Pat Miller, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: Workshop to Gather Information on the Tennessee Regulatory Assurance
Plan, service quality measurements and self-effectuating enforcement
mechanisms
Docket No. 97-00309

Dear Chairman Miller.

As requested by the Authority, the CLECs participating in the above-captioned proceeding¹ submit the attached list of issues to be discussed at the September 14 workshop

The CLECs believe that the attached list reflects the agency's instructions in the "Addendum to Notice of Workshop," issued August 20, stating that, "The workshop will focus on a discussion of BellSouth's wholesale performance under the existing [Tennessee Performance Assurance] Plan." The CLECs, therefore, will discuss during the workshop specific problems with BellSouth's wholesale operations and how those problems impact the CLECs' ability to provide quality service to customers

We have discussed this filing with BellSouth in any effort to arrive at a joint list of issues but the parties have been unable to agree. We have reviewed a draft issues list proposed by BellSouth and believe that some of BellSouth's issues (2, 7, 8, and 9) broadly construed, are consistent with the Authority's directions regarding the purpose of the workshop. The other issues raised by BellSouth appear to be far outside the scope of "a discussion of BellSouth's wholesale performance." Therefore, the CLECs do not intend to address those issues during the workshop but would request the opportunity to do so at a later time should the TRA wish to consider them.

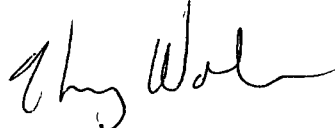
¹ Those CLECs presently intending to make presentations include AT&T Communications of the South Central States, LLC, DIECA Communications, Inc d/b/a Covad Communications Company, Birch Telecom of the South, Inc , ITC DeltaCom Communications, Inc , NuVox Communications, Inc , Momentum Business Solutions, Inc , and Network Telephone Corporation

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The participating CLECs are prepared to proceed with the workshop as scheduled and the CLECs' presentations will not include any confidential information.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Henry Walker

HW/pp

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2004, a copy of the foregoing document was served on the parties of record, via hand-delivery, overnight delivery or U.S. Mail, postage prepaid, addressed as follows:

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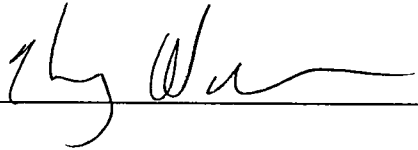
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CLEC COALITION JOINT STATEMENT OF ISSUES

for

September 14, 2004 TRA Workshop

CLEC Operational Issues	BellSouth Response
Customers are experiencing significant numbers of maintenance troubles within 30 days of provisioning orders (P-9)	
Firm Order Confirmations for partially mechanized orders are not returned in a timely manner (O-9)	
BellSouth is not repairing troubles in the committed timeframe. (M&R-1)	
CLEC customers are experiencing troubles at a much higher rate than that of BellSouth customers (M&R-2)	
Service Order accuracy on UNE orders submitted electronically, but that fall out for manual handling, continues to be a chronic problem. The current SEEM penalty fee is a flat \$50, irrespective of the number of affected transactions. This is clearly not an effective enough incentive for BellSouth to correct performance problems (P-11)	
Multiple trouble tickets are being submitted for the same customer trouble (M&R-2)	
BellSouth is not posting orders to the billing systems in a timely manner which is prohibiting submission of subsequent customer orders	
BellSouth is billing non-recurring charges for 1 st and additional elements incorrectly and inconsistently.	
Escalated billing disputes are not counted in the billing errors metric.	
OSS systems fail to properly support telephone number reservations	
BellSouth is not providing electronic closure notification for all electronically-submitted troubles	
Facility Issues BellSouth retail resolving facility issues for specific end-user customers (PF orders) quicker than facility issues are resolved for BellSouth wholesale customers.	

CLEC COALITION JOINT STATEMENT OF ISSUES – cont'd.

CLEC Operational Issues	BellSouth Response
BellSouth is placing suspension orders on customers who have already converted their service to a CLEC	
For some products, there is no automated process for returning jeopardy and clarification notices. CLEC sends in an LSR via EDI, however BST returns jeopardy and clarification notices via facsimile requiring CLEC personnel to spend time and resources gathering facsimiles, determining clarification issue/jeopardy issue, inputting into the CLECs OSS system, and responding to BellSouth. BellSouth should, at a minimum, e-mail clarifications/jeopardies to CLECs so that we get the information online and can copy/paste data into system reports, etc	
There is no parity for Mechanized Loop Test (MLT) testing on Line Shared loops CLECs are prohibited from running a MLT test when a trouble ticket is open However, BST is able to run the MLT test regardless of whether a trouble ticket is open on the order.	
BellSouth refuses to support changes to BellSouth operational processes that will enable CLECs to migrate to new business models post-TRO The issues relate to mechanized migration paths from Line Sharing and Line Splitting to UNE-L as well as network cross-connect processes that are cost prohibitive.	
BellSouth refuses to correct BST CABS billing problems that are caused by BST non-conformance with industry standards CLECs are unable to verify billing unless it is done manually. Manual verification is a significant resource constraint on CLECs.	
BellSouth continues to back-bill CLECs without providing business rules or billing parameters prior to the back-billing process. This results in laborious analysis, requests for meetings with BellSouth and unnecessary submission of disputes due to inconsistent and inaccurate billing practices.	