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Ms. Dorothy Attwood
Chief, Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Dear Ms. Attwood:

AT&T submits this letter in response to SBC's recent decision to delay implementation of the Uniform and Enhanced OSS Plan of Record releases to dates beyond those deadlines specified in the *SBC/Ameritech Merger Order*.

By way of background, SBC held an emergency change management conference call on February 20, 2002, at which it announced that SBC would delay the implementation of Uniform and Enhanced Plan of Record releases previously scheduled to begin three days later on February 23, 2002 in the Pacific Bell, Nevada Bell and Southwestern Bell regions and on March 9, 2002 in the Ameritech region. SBC has recommended that the POR releases be rescheduled to April 10, 2002 for Southwestern Bell, Pacific Bell and Nevada Bell, to April 24, 2002 for Ameritech, and to August 7, 2002 for SNET service areas. By letter dated February 25, 2002, SBC requested that the Bureau find that good cause exists for extending the deadlines, including a delayed implementation in the Southwestern Bell, Pacific Bell and Ameritech regions for 32 days beyond the March 22, 2002 end date set in the *Merger Order*.

Standard of Proof

SBC acknowledges that the OSS POR release implementation deadlines may only be modified or extended if SBC meets a "heavy burden of demonstrating good cause."¹ Yet, SBC's February 25, 2002 letter fails to meet or approach this substantial burden, neglecting even to identify the

¹ SBC Letter to Ms. Dorothy Attwood, dated Feb. 25, 2002, p. 3 & n.11, quoting Letter of Carol Matthey, Deputy Chief, Common Carrier Bureau, to SBC, dated Sept. 22, 2000, p. 3 (noting that "the *Merger Conditions* allow SBC to seek a waiver or modification of the Phase III timeline" upon meeting a "heavy burden of demonstrating good cause." (citing *SBC/Ameritech Merger Order* at para. 414).").

specific problems causing the delay, let alone what steps were taken to avoid their occurrence and late detection. Moreover, SBC has made no showing as to what efforts are underway to ensure that the releases once implemented will not introduce operational issues negatively impacting CLEC customer account activity.

Specifically, SBC's request for extension does not provide any detail as to how and when the problems were detected, whether through additional or alternative means the problems might have been detected earlier, what factors were considered in making the decision that the problems detected required that implementation be postponed, and what considerations went into the timing of SBC's announcement of the delay. Looking ahead, SBC's letter also fails to describe what work has been and will be completed in advance of the rescheduled release dates to resolve the problems already uncovered. Similarly, SBC includes no information as to internal and joint testing planned to validate proposed fixes.

In short, SBC has set forth no grounds constituting an excuse for SBC's failure to meet the outside dates set in the *SBC/Ameritech Merger Order* for implementing the OSS POR releases.

Repetitious Grounds

Nearly all of SBC's statements of circumstances supporting the delay in release implementation are very familiar. SBC raised substantially the same grounds, including the scope and breadth of the release, the commitment of and strain on internal SBC resources, and the challenges of meeting OSS obligations as a result of other regulatory proceedings and CLEC agreements, in support of its earlier request in May 2001 to the arbitration panel to extend out the OSS POR release dates. A copy of SBC's May 11, 2001 Request for Modification of Implementation Phase Work Plan and SBC's transmission letter to the Arbitration Panel is attached. The grant of SBC's prior request for extension resulted in the rescheduling of all of the LSOG 5 OSS POR releases. The Pacific Bell and Southwestern Bell releases, for example, moved from the end of September 2001, until the end of February 2002.

The grounds SBC raised in support of the previously granted extension of the release dates lend no support for yet a further extension of release dates particularly when, as here, SBC raises no suggestion as to why the originally requested additional time frames were inadequate. The new material discussed in support of the extension refers to the days spent and issues raised in connection with the final release requirements change management process walkthroughs. Given SBC's acknowledgement that the number of issues CLECs raised was not unreasonable based on the scope of the release ("the changes and clarifications requested were understandable because of the size and complexity of the LSOR and LSPOR," *SBC February 25, 2002 Letter*, p. 8 n. 22), and given the number of issues raised that can be traced directly to SBC documentation problems, SBC's assertion that time and resources associated with the walkthrough process support the requested extensions must fail.

SBC Advantages Obtained in Reliance on Fixed Dates

SBC again and again has relied upon the fixed OSS POR release implementation deadlines in the *Merger Conditions* to resist CLEC requests for modifications to the planned releases. Even