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By Telecopy and E-Mail

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Re: SBC's Request for Modification of Implementation Phase Work Plan

Dear Messrs. Wilkinson, Klick and Maher:

On April 9, 2001, we sent the Panel a letter notifying you, pursuant to the Uniform and Enhanced OSS Interface Plan of Record, of the request of SBC Communications Inc. to modify the Implementation Phase Work Plan. It now appears that SBC's request is unopposed.

On April 23, 2001, SBC provided a copy of that letter to each of the CLECs that participated in the Additional Collaborative Process and set forth a schedule for written submissions on that request. Under that schedule, CLECs were to notify SBC by May 4, 2001 of any intent to participate in any arbitration of SBC's request; SBC would submit its statement of position today; any CLEC choosing to participate in the arbitration would submit its statement of position on May 18, 2001; and SBC would submit any necessary response by May 25, 2001.

No CLEC notified SBC of its intent to participate in any arbitration on this request. Indeed, SBC has reached agreements with AT&T, WorldCom and Sprint on this matter. AT&T has agreed to support the request. Based on written commitments made by SBC in a separate agreement, WorldCom does not oppose the extension request, and Sprint has agreed not to oppose the extension request as well.

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Based on the schedule, SBC is submitting today its statement of position, a copy of which is being provided to you with this letter. This statement will be certified, under penalty of perjury, by Mr. Sires of SBC to provide the Panel an evidentiary basis for granting SBC's request.

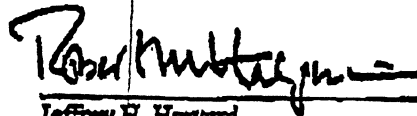
Given the submission by SBC and the absence of any opposition to it, SBC respectfully requests the Panel to grant the requested relief as soon as possible.

Respectfully submitted,

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**SBC'S DETAILED STATEMENT OF POSITION
IN SUPPORT OF REQUEST FOR MODIFICATION
OF IMPLEMENTATION PHASE WORK PLAN**

Pursuant to Section III.L of the Uniform and Enhanced Operations Support Systems Plan of Record, SBC Communications Inc. respectfully requests this Panel to modify the Implementation Phase Work Plan. Specifically, the Plan of Record presently contains a schedule calling for certain pre-order and order releases to be implemented by September 29, 2001, November 17, 2001, and April 20, 2002 (the last date applies to Southern New England Telephone Company ("SNET") only). SBC asks the Panel to modify the Implementation Phase Work Plan so that these dates would be extended to February 28, 2002, March 22, 2002, and June 30, 2002, respectively (again, the last date applies to SNET only). The total amount of time requested, therefore, ranges from about 2 months (in the case of the SNET release) to about 5 months (in the case of the releases presently scheduled for completion by September 29, 2001). The new dates are still within the timeframes established by the Federal Communications Commission ("FCC") in its order approving the SBC/Ameritech merger.¹

This request is unopposed. SBC asked the CLECs to inform it by May 4, 2001 if they were going to oppose the request and participate in any arbitration before this Panel. No CLEC has stated that it would oppose the request. In fact, AT&T has specifically agreed to support the

¹ *Applications of Ameritech Corp. Transferor, and SBC Communications Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules, 14 FCC Red. 14,712 (1999) ("SBC/Ameritech Merger Order").*

request. Based on written commitments made by SBC in a separate agreement, WorldCom does not oppose the extension request, and Sprint has specifically agreed not to oppose it as well. So that the Panel will understand the need for this request, the reasons for it are set forth below.

As the Panel recognized in its Award following the arbitration with WorldCom concerning open issues from the Category I, II, and III collaborative discussions, the uniform and enhanced OSS interfaces are to be implemented through a three-phase process. The first phase called for SBC to prepare a draft Plan of Record; the second phase called for SBC to collaborate with interested CLECs to obtain their agreement on "OSS interfaces, enhancements, business requirements identified in the Plan of Record, and a change management process" (SBC/Ameritech Merger Conditions at ¶ 28.b.); and the third phase calls for SBC to "develop and deploy, using a phased-in approach, system interfaces, enhancements, and business requirements consistent with" the Plan of Record that resulted from Phase 2. (*Id.* at ¶ 28.c.)

We are currently in Phase 3. Paragraph 28.c.(1) of the SBC/Ameritech Merger Conditions provides that the target date for completing Phase 3 is 18 months after completion of Phase 2 (except for SBC's local exchange operations in Connecticut (SNET), where the target date is 24 months after completion of Phase 2. (*Id.* at ¶ 28.c.(1).)

When it adopted the Merger Conditions, the FCC recognized that the 18-month timeline (24 months in Connecticut) for implementation of the uniform and enhanced OSS interfaces (*i.e.*, Phase 3) was "the bare minimum needed for successful implementation of the required elements."² It found the implementation timelines "reasonable" in light of this "substantial

² *SBC/Ameritech Merger Order* at ¶ 484.

undertaking" as it and SBC then understood it. Given that Phase 3 started on September 22, 2000, Phase 3 is to be concluded by March 22, 2002 (September 22, 2002 for SNET).

In the Plan of Record, SBC sought to try to accelerate that "bare minimum" timeline. Much was unknown about the details of what was needed to implement this Plan of Record when the timeline was created. Under the Implementation Phase Work Plan, the final pre-order and order releases implementing the Plan in the SWBT, Pacific, and Ameritech regions were set for late 2001. Of specific relevance here, the Implementation Phase Work Plan, as modified by a letter to the FCC dated September 22, 2000, calls for the application-to-application and GUI pre-order and order releases for the SWBT and Pacific regions to be implemented by September 29, 2001. The second part of the order release for the Ameritech region is to be implemented by November 17, 2001.³ For the SNET region, the schedule calls for both the pre-order and ordering releases to be implemented by April 20, 2002.

The Plan of Record the FCC ordered SBC to implement provided for possible extensions of both the Implementation Phase Work Plan and the FCC deadline. It states:

[I]f, during the Additional Collaborative Process, a CLEC requests increased levels of functionality that would delay implementation of the POR, SBC may request that the arbitration panel established in Section I appropriately modify this Implementation Phase Work Plan, and that the Federal Communications Commission grant SBC a waiver to establish a new target date for completion of Phase 3. SBC may also request a modification of this Work Plan and a waiver of the target date for completion of Phase 3 if proceedings during the Additional Collaborative Process, including arbitration of disputed issues, delays significantly implementation of the POR. CLECs may oppose any request by SBC to modify this Work Plan or the target dates for completion of Phase 3.

³ The pre-order release and the first phase of the order release for the Ameritech region were implemented, as scheduled, by March 24, 2001.