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**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of )  
 )  
Application by SBC Communications Inc., )  
Michigan Bell Telephone Company, d/b/a Ameritech )  
Michigan and Southwestern Bell Communications ) CC Docket No. \_\_\_\_\_  
Services, Inc. d/b/a Ameritech Long Distance for )  
Provision of In-Region, InterLATA Services in )  
Michigan )

**AFFIDAVIT OF JAN D. ROGERS  
ON BEHALF OF AMERITECH**

**STATE OF TEXAS )**

**COUNTY OF DALLAS )**

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I, Jan D. Rogers, being of lawful age and duly sworn upon my oath, do hereby depose and state as follows:

1. My name is Jan D. Rogers. My business address is One Bell Plaza, Room 3445, Dallas, Texas 75202. I am Director-Regulatory – for SBC’s Operator Services organization, including its directory assistance service. In this position, I am responsible for representing SBC’s Operator Services organizations in 12 SBC states, including Michigan, before regulatory bodies and other external stakeholders. I also assist these organizations in meeting all legal and regulatory requirements for directory assistance and operator services, including those relating to Ameritech.

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### **PROFESSIONAL EXPERIENCE AND EDUCATIONAL BACKGROUND**

2. I attended the University of Oklahoma in Norman, Oklahoma, where I earned a BA degree in Journalism in May 1975. I completed a Masters degree in Business Administration at Washington University in St. Louis, Missouri in August 1998. While working for the Company, I have attended a number of seminars and other training sponsored by SBC and other industry organizations on various management subjects. I began my career with Southwestern Bell Telephone (SWBT) in 1987. I have held various positions in the Corporate Communications, Advertising, Benefits Administration and Industry Markets organizations. From August 1996 to May 1999, I was responsible for resale implementation, CLEC education and Operator Services interconnection agreement language and negotiation support in SWBT's Local Interconnection and Resale organization. I began my current assignment as Director-Regulatory on SBC's Operator Services staff in June 1999.

### **PURPOSE OF AFFIDAVIT AND REGULATORY BACKGROUND**

3. The purpose of my affidavit is to demonstrate that Michigan Bell Telephone Company d/b/a Ameritech<sup>1</sup> ("Ameritech") meets its obligations under Section 251 of the Telecommunications Act of 1996 ("the Act")<sup>2</sup> and Checklist Item No. (vii) pursuant to 47

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<sup>1</sup> Michigan Bell Telephone Company, a Michigan corporation, is a wholly owned subsidiary of Ameritech Corporation, which owns the former Bell operating companies in the states of Michigan, Illinois, Wisconsin, Indiana, and Ohio. Ameritech Corporation is a wholly owned subsidiary of SBC Communications, Inc. Michigan Bell offers telecommunications services and operates under the names "Ameritech" and "Ameritech Michigan" pursuant to assumed name filings with the State of Michigan.

<sup>2</sup> Section 251(b)(3), Communications Act of 1934 as amended by the Telecommunications Act of 1996.

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C.F.R. § 271 (c)(2)(B)(vii)(II) & (III) by providing Competitive Local Exchange Carriers (“CLECs”) with nondiscriminatory access to the following services:<sup>3</sup>

- Operator Services (“OS”), including adjunct Operator Call Completion Services;
  - Directory Assistance (“DA”) Services, including Information Call Completion/Directory Assistance Call Completion (“DACC”);
  - Directory Assistance Listings (“DAL”) in bulk format,
  - Direct Access to Ameritech’s DA database on a query-by-query basis.
4. Specifically, Ameritech is required to provide nondiscriminatory access to “directory assistance services to allow the other carrier’s customers to obtain telephone numbers” and “operator call completion services,” respectively.<sup>4</sup> Section 251(b)(3) of the Act imposes on each local exchange carrier (LEC) “the duty to permit all [competing providers of telephone exchange service and telephone toll service] to have nondiscriminatory access to ... operator services, directory assistance, and directory listings, with no unreasonable dialing delays.”<sup>5</sup>
5. The FCC has held that the phrase “nondiscriminatory access to directory assistance and directory listings” means that “the customers of all telecommunications service providers

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<sup>3</sup> FCC 96-333 *Second Report and Order and Memorandum Opinion And Order* (“Second Report and Order”) and CC Docket 96-98, Appendix B - Rules, Amendments to the Code of Federal Regulations (C.F.R.), Part 51, Subpart D (“the FCC Rules”).

<sup>4</sup> 47 U.S.C. §§ 271(c)(2)(B)(vii)(II), (III).

<sup>5</sup> 47 U.S.C. § 251(b)(3). The Commission implemented section 251(b)(3) in the *Local Competition Second Report and Order*. 47 C.F.R. § 51.217; *In re Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392 (1996) (*Local Competition Second Report and Order*) *vacated in part*, *People of the State of California v. FCC*, 124 F.3d 934 (8th Cir. 1997), *overruled in part*, *AT&T Corp. v. Iowa Utils. Bd.*, 119 S. Ct. 721 (1999); *see also Implementation of the Telecommunications Act of 1996: Provision of Directory Listings Information under the Telecommunications Act of 1934*, Notice of Proposed Rulemaking, 14 FCC Rcd 15550 (1999) (*Directory Listings Information NPRM*).

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should be able to access each LEC's directory assistance service and obtain a directory listing on a nondiscriminatory basis, notwithstanding: (1) the identity of a requesting customer's local telephone service provider; or (2) the identity of the telephone service provider for a customer whose directory listing is requested."<sup>6</sup> The FCC concluded that nondiscriminatory access to the dialing patterns of 4-1-1 and 5-5-5-1-2-1-2 to access directory assistance was technically feasible, and would continue.<sup>7</sup>

6. The FCC specifically held that the phrase "nondiscriminatory access to operator services" means that ". . . a telephone service customer, regardless of the identity of his or her local telephone service provider, must be able to connect to a local operator by dialing '0,' or '0 plus' the desired telephone number."<sup>8</sup>
7. In demonstrating that Ameritech complies with the directory assistance and operator services requirements of checklist item vii, this affidavit will show that competing carriers may provide operator services and directory assistance for their subscribers by either (a) purchasing the Ameritech's services on a wholesale basis, (b) using their own personnel and facilities, or (c) routing their subscribers' OS/DA calls to a third-party provider.

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<sup>6</sup> 47 C.F.R. § 51.217(c)(3); *Local Competition Second Report and Order*, 11 FCC Rcd at 19456-58, paras. 130-35. The *Local Competition Second Report and Order's* interpretation of section 251(b)(3) is limited "to access to each LEC's directory assistance service." *Id.* at 19456, para. 135. However, section 271(c)(2)(B)(vii) is not limited to the LEC's systems but requires "nondiscriminatory access to . . . directory assistance to allow the other carrier's customers to obtain telephone numbers." 47 U.S.C. § 271(c)(2)(B)(vii). Combined with the Commission's conclusion that "incumbent LECs must unbundle the facilities and functionalities providing operator services and directory assistance from resold services and other unbundled network elements to the extent technically feasible," *Local Competition First Report and Order*, 11 FCC Rcd at 15772-73, paras. 535-37, section 271(c)(2)(B)(vii)'s requirement should be understood to require the BOCs to provide nondiscriminatory access to the directory assistance service provider selected by the customer's local service provider, regardless of whether the competitor provides such services itself; selects the BOC to provide such services; or chooses a third party to provide such services. See *Directory Listings Information NPRM*.

<sup>7</sup> *Local Competition Second Report and Order*, 11 FCC Rcd at 19464, para. 151.

<sup>8</sup> *Id.* at para. 112.

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Additionally, as shown below, CLECs wishing to purchase Ameritech's operator and directory assistance services on a wholesale basis may request that Ameritech brand OS/DA from their subscribers in the CLECs' names.<sup>9</sup>

8. On the other hand, competing carriers wishing to provide operator services or directory assistance using their own facilities and personnel may obtain directory assistance listings either by obtaining listings on a "per query" basis from Ameritech's directory assistance database, or by creating their own directory assistance databases by obtaining all the listings in Ameritech's DA database, with daily updates.<sup>10</sup>
9. Further, this affidavit will demonstrate Ameritech's compliance with the recent Michigan Public Service Commission (MPSC) decision in Case No. U-12622, issued March 19, 2001, that required Ameritech to tariff OS and DA as unbundled network elements (UNEs).

## **BACKGROUND OF MICHIGAN PROCEEDINGS**

10. Since Ameritech's last Section 271 application was addressed in 1997, numerous improvements and enhancements have been made to Ameritech's 271-compliant wholesale OS/DA services. The enhancements address issues raised by CLECs during the review as well as the FCC's comments in Ameritech Michigan's and other LEC's 271 applications.

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<sup>9</sup> 47 C.F.R. § 51.217(d); *Local Competition Second Report and Order*, 11 FCC Rcd at 19463, para. 148. For example, when customers call the operator or calls for directory assistance, they typically hear a message, such as "thank you for using XYZ Telephone Company." Competing carriers may request the BOC to brand the call with the competitive carriers name or request that the BOC not brand the call at all.

<sup>10</sup> 47 C.F.R. § 51.217(C)(3)(ii); *Local Competition Second Report and Order*, 11 FCC Rcd at 19460-61, paras. 141-44.

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11. Throughout the year 2000, Ameritech participated in extensive collaborative sessions with CLECs and the MPSC to determine Ameritech's compliance with the Act's Section 271 competitive checklist. These collaborative sessions examined Ameritech's tariffed wholesale offerings as required by the MPSC in its February 9, 2000 order in Case No. U-12320. Two main issues related to OS/DA services arose out of the collaborative sessions: (1) the ability to uniquely brand OS/DA calls from subscribers served by resale and UNE switch-port CLECs (in addition to the branding capability already available to switch-based CLECs); and (2) the tariffing of OS and DA services at UNE prices.
12. Subsequent to these collaborative sessions, Ameritech upgraded its operator switches to make OS and DA branding available to Michigan's non-switch-based CLECs utilizing Ameritech's shared trunking.<sup>11</sup> This "Service Provider ID" branding option is available to resale CLECs and facilities-based local service providers that use Ameritech's unbundled local switching.<sup>12</sup>

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<sup>11</sup> Shared, or common, trunks deliver OS and DA calls from Ameritech's end office switches to Ameritech's operator switches. This includes calls from subscribers of Ameritech's retail service as well as subscribers served by resale CLECs and CLECs providing local exchange service via unbundled local switching. Branding of calls from subscribers of independent telephone companies and switch-based CLECs has long been available, since their subscribers' calls come to Ameritech's operator platform over dedicated, not shared, trunks.

<sup>12</sup> Informally referred to as Service Provider Identification (SPID) technology, this branding capability identifies the local service provider of each OS/DA call coming over shared trunks, then "brands" the call with the provider's name. This branding occurs when the CLEC has subscribed to and implemented Ameritech's wholesale branding service that was offered in Accessible Letter CLECAM00-074, issued August 1, 2000 (which can be found at <<http://sbc.clec.com>>).

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13. While Ameritech disagrees with the MPSC's order,<sup>13</sup> Ameritech is in full compliance with the Commission's decision in Case No. U-12622. While Ameritech's OS and DA are competitive wholesale services that should be market priced, Ameritech has tariffed those services as unbundled network elements in compliance with the MPSC order.
14. Finally, as discussed in the affidavit of Mr. Salvatore Fioretti, "Fioretti Affidavit," Ameritech has implemented performance measurements for its wholesale OS and DA offerings.<sup>14</sup>
15. In summary, Ameritech provides nondiscriminatory access to operator services, directory assistance and directory assistance listings pursuant to Section 251(b)(3) of the Act and meets its obligations under checklist item vii pursuant to 47 C.F.R. §271 (c)(2)(B)(vii)(II) & (III).

## **IMPACT OF THE FCC'S UNE REMAND ORDER**

16. The Federal Communications Commission ("FCC") ruled in its UNE Remand Order,<sup>15</sup> effective February 17, 2000, that incumbent LECs are no longer required to make wholesale OS/DA services available as unbundled network elements where the incumbent LEC provides custom routing for OS/DA traffic. Custom routing allows resale CLECs and CLECs providing local exchange service via unbundled local switching to route their subscribers' OS/DA calls away from Ameritech at Ameritech's end office switch. CLECs then route their subscribers' OS/DA calls to an OS/DA platform other than Ameritech's

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<sup>13</sup> Ameritech filed an appeal with the United States District Court for the Eastern District of Michigan on April 18, 2001.

<sup>14</sup> Affidavit of Salvatore Fioretti in Support of Request for Modification. Case No. U-11830. Filed 03/07/2000. Ameritech's submission on performance measurements, benchmarks, and reporting in compliance with the October 2, 1998 Order in MPSC Case No. U-11654.

<sup>15</sup> *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order and Fourth Further Notice of Proposed Rulemaking*, paragraphs 438 – 464, (November 5, 1999).

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(i.e. CLECs can route their subscribers' OS/DA calls to themselves or to a third-party provider of wholesale OS/DA services).

17. Also in its UNE Remand Order, the FCC specifically declined to expand the definition of OS/DA to include an affirmative UNE obligation "to provide directory listings updates in daily electronic batch files." The FCC regarded such a finding as unnecessary because this obligation "already exists under Section 251(b)(3) and the relevant rules promulgated thereunder," not under the 271(c)(3) UNE obligation. Neither Section 251(b)(3) nor the related FCC rules require provision of access to such DAL at UNE pricing. Rather, under federal rules, Ameritech is required to make such DA listings available on a nondiscriminatory basis with no unreasonable dialing delays. Ameritech fulfills that obligation.

18. While incumbent LECs are still bound by their obligations under Section 251(b)(3) to provide nondiscriminatory access to OS/DA services and DAL to competing providers, the FCC's UNE Remand Order found that incumbent LECs are allowed to charge market-based prices for those services and listings. Since Ameritech provides custom routing that allows CLECs to route their subscribers' OS and DA calls from Ameritech's end office to the OS/DA platform of the CLEC's choice – in the same manner Ameritech routes its subscribers' OS/DA calls to Ameritech's operator platform – UNE-based rates for Ameritech's wholesale OS/DA services and DA listings should no longer apply.<sup>16</sup>

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<sup>16</sup> See Attachment 22 – Directory Assistance-Facilities-Based, and Attachment 23 – Operator Services-Facilities Based, of the Oklahoma and Kansas 271 Agreements where OS/DA wholesale services are offered at market-based prices.

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19. As discussed in the affidavit of William A. Deere, custom routing is available to CLECs throughout Michigan and provisions are included in the Michigan Generic Interconnection Agreement (GIA) and existing interconnection agreements.<sup>17</sup> As mentioned above, custom routing allows a resale CLEC or a CLEC providing local exchange service via Ameritech's unbundled local switching to route OS/DA calls from its subscribers to an OS/DA platform of its own or of another company that provides wholesale OS/DA services. Using the same custom routing that is utilized by Southwestern Bell Telephone (SWBT) in Texas and which was relied upon in SWBT's successful 271 applications for Texas, Kansas and Oklahoma, competing carriers in Michigan can route their OS/DA traffic away from Ameritech's end offices to a platform of their own or to a platform of another provider of wholesale OS/DA services. Ameritech's custom routing arrangement is the same that a switch-based CLEC or independent telephone company would use to route their subscribers' OS/DA calls to a wholesale provider of those services, thus is compliant with FCC requirements for custom routing.<sup>18</sup> As indicated in the affidavit of William Deere, the custom routing available to Michigan CLECs is the same as Ameritech uses to route OS/DA traffic from its end offices to Ameritech's operator switches, Ameritech provides parity custom routing capabilities. Thus, Ameritech should not be required to make OS/DA services available as unbundled network elements.<sup>19</sup>

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<sup>17</sup> Generic Interconnection Agreement, Appendix Unbundled Network Elements ("UNE") Section 11.3. See also, Section 14.1.8, Appendix Merger Conditions and Section 8.3.1, Appendix UNE of the BullsEye/Ameritech Michigan interconnection agreement.

<sup>18</sup> See Attachment 6-UNE of the Texas, Oklahoma and Kansas 271-compliant interconnection agreements.

<sup>19</sup> Ameritech honors the rates, terms and conditions of current effective interconnection agreements and offers OS and DA services in new interconnection agreements at market-based prices.

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20. However, as stated previously, although Ameritech disagrees with the Michigan Commission's order in Case No. U-12622 that requires Ameritech to tariff wholesale OS/DA as unbundled network elements, Ameritech has updated its tariffs and is in compliance with the order.<sup>20</sup> If the FCC or MPSC should clarify, revise or modify order U-12622 or the decision is modified, revised, clarified, stayed or invalidated, Ameritech reserves its rights to modify OS/DA pricing and de-tariff these competitive wholesale services consistent with the action or decision of the relevant regulatory, legislative, or judicial body.<sup>21</sup>

21. As discussed further in my affidavit, Ameritech provides nondiscriminatory access to operator services, directory assistance, and directory assistance listings pursuant to Section 251(b)(3) and checklist item vii of the Act. As required, the access Ameritech provides to CLECs is equal in quality to that Ameritech provides to itself for its subscribers. Further, Ameritech offers nondiscriminatory terms and conditions for wholesale operator services, directory assistance service and directory assistance listings among carriers (CLEC and ILEC wholesale customers).

### **AVAILABILITY OF DIRECTORY ASSISTANCE AND OPERATOR SERVICES**

22. CLECs who provide local exchange telephone service through their own switch(es), and/or through Ameritech's switching facilities (via resale or unbundled switch ports) have several options when selecting a provider of OS and DA services for their subscribers. The

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<sup>20</sup> Id.

<sup>21</sup> Ameritech has appealed the MPSC's orders in Cases No. U-11830 and U-12622, since Ameritech provides 271-compliant custom routing.

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following briefly outlines the OS and DA service options that Ameritech, as one of several wholesale providers, makes available to CLECs for their subscribers.

**23. Resale Services OS/DA** – Ameritech provides CLEC subscribers access to Ameritech’s OS and/or DA services (OS/DA) on the same basis as Ameritech’s retail subscribers as part of Ameritech’s resold local telecommunications services. As discussed previously, if the resale CLEC wishes to provide OS/DA services itself, or to use a third-party OS/DA provider, the CLEC may choose to “custom route” their subscribers’ OS/DA calls to itself or another provider of wholesale OS/DA services. Resale CLECs that use Ameritech’s OS and/or DA services are billed for OS and DA retail services, minus the appropriate avoided cost discount, on their resale bills.

**24. Providers using unbundled local switching** – Since routing of OS/DA calls to Ameritech is part of the underlying functionality of Ameritech’s unbundled switch ports (i.e. OS/DA calls are routed to Ameritech’s operator platform via shared trunks), CLECs utilizing Ameritech’s unbundled local switching can choose Ameritech to provide OS/DA services to their end users. Or the CLEC may choose to “custom route” its subscribers’ OS /DA calls to itself or a third party OS/DA provider.

**25. Switch-based providers** – A CLEC providing local exchange service solely through its own facilities or through a combination of its switch and Ameritech’s unbundled local loops may choose to route its end users’ OS/DA calls to (a) the CLEC’s OS/DA platform, (b) Ameritech’s platform, or (c) a third-party wholesale OS/DA provider. In any case, the switch-based CLEC is responsible for the facilities, trunks and transportation of its subscribers’ OS/DA calls to the wholesale provider that it selects.

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26. Ameritech will negotiate contracts for the provision of either OS or DA services or both.

For instance, a CLEC can negotiate for and utilize Ameritech's OS, but choose to route its DA calls to itself or to a third-party provider. Or vice versa, according to the preference of the CLEC. Ameritech's interconnection agreements,<sup>22</sup> including the Generic Interconnection Agreement (GIA), enable facilities-based CLECs to choose Ameritech as their provider of OS and/or DA services.<sup>23</sup>

27. **Wholesale DA services** provided by Ameritech to requesting CLECs' subscribers in Michigan in compliance with the terms of the Act and FCC regulations<sup>24</sup> are identical to the services provided to Ameritech's subscribers and include:

- Directory Assistance: provides listing information, defined as name, address and published telephone number (or an indication of "non-published" status) to CLECs' subscribers that dial Michigan's 8- or 11-digit dialing pattern for directory assistance. The dialing pattern is 1-555-1212 or 1+NPA+555-1212 where the NPA is an area code in the caller's local calling area. An example would be 1+555+1212, 1+313-555-1212 or 1+810-555-1212 in Detroit. Ameritech retail end users use the same 10-digit dialing pattern to reach local and non-local Directory Assistance.<sup>25</sup> The 411 dialing pattern is not currently used by Ameritech in Michigan for Directory Assistance.

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<sup>22</sup> A list of interconnection agreements can be viewed at [http://www1.ameritech.com/corporate/regulatory/interconnect\\_page.html](http://www1.ameritech.com/corporate/regulatory/interconnect_page.html).

<sup>23</sup> GIA, Appendix OS and Appendix DA.

<sup>24</sup> 271 (c)(B)(vii)(II) 47 C.F.R. §51.217 (c)(3).

<sup>25</sup> Ameritech accesses its own information storage facility for its national DA service, an incidental interLATA service, as required by Section 271(g)(4) of the Act as interpreted by the FCC in its September 27, 1999 US West National Directory Assistance Forbearance Order in Docket No. 97-172 (FCC 99-133).

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- Information Call Completion/Directory Assistance Call Completion: completes a local or intraLATA call to the requested number, on behalf of a CLEC's subscriber, utilizing an automated voice system or operator assistance. This service also is identical to the service provided by Ameritech in its retail operations.

28. **Wholesale Operator Services** furnished by Ameritech to requesting CLECs in Michigan are in compliance with the requirements of the Act and FCC regulations<sup>26</sup> and include the same services Ameritech provides to its subscribers:

- Automated Call Assistance. This service allows the end user to complete a call without the assistance of an operator. Generally, end users may bill automated calls to their local telephone bill, a telecommunications calling card, or collect to a third number.

- Manual Call Assistance. This includes the following types of services:

*Operator Assistance* - An end user dials "0" or "0" plus an area code and telephone number and places either station-to-station or person-to-person collect, third number, calling card or sent paid call using an operator's assistance. "Sent paid" calls are those that are billed to the telephone number from which the call is made (i.e., not billed collect to a third party or calling card).

*Busy Line Verification (BLV)* - A service in which the caller requests that the operator determine whether an access line on Ameritech's network is in use. See the Busy Line Verification portion of the "Wholesale OS and DA Services

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<sup>26</sup> 47 C.F.R. §51.217(c)(2)

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Ameritech Provides” section later in my affidavit for a complete description of this service.

*Busy Line Verification Interrupt (BLVI)* - A service in which the caller asks the operator to interrupt a conversation in progress to determine if one of the parties is willing to speak to the caller requesting the interrupt. See the Busy Line Verification Interrupt portion of the “Wholesale OS and DA Services Ameritech Provides” section later in my affidavit for a complete description of this service.

*Operator Transfer Service* - A service in which a CLEC’s end user customer dials zero and, at the caller’s request, the operator transfers the call to an interexchange carrier subscribing to Ameritech’s Operator Transfer Service, as described in Ameritech’s federal FCC Tariff No. 2, Section 6.6.8. Interexchange carriers, thus, complete interexchange calls.

29. If a facilities-based CLEC chooses to use Ameritech as its wholesale provider of OS or DA services, Ameritech agrees to provide the contracted OS or DA services for a minimum period of one year.<sup>27</sup> This one-year period enables Ameritech to forecast its OS and DA call volumes to ensure it is in compliance with the Michigan PSC answer requirement of 100 percent of calls within 10 seconds. Without such a commitment, Ameritech could not allocate appropriate staffing and equipment resources to serve all callers, including CLECs’, incumbent local exchange carriers’ (“ILEC”), wireless carriers’ and Ameritech’s subscribers in the same accurate and efficient manner under Michigan PSC rules.<sup>28</sup>

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<sup>27</sup> GIA, Appendix OS and Appendix DA

<sup>28</sup> Michigan Telecommunications Act, Commission Rule 484.64

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Ameritech provides its OS and DA services to wholesale customers' subscribers in the same manner and in the same time frame (i.e. first in, first served), as it does for its own subscribers.

30. Attachment A of this affidavit provides a list of CLECs in Michigan that have implemented OS and DA service arrangements with Ameritech as of the end of March 2001. As indicated on this Attachment, Ameritech has implemented DA Service arrangements for 13 facilities-based CLECs and 10 resale CLECs in Michigan. Also as indicated on Attachment A, Ameritech has implemented OS arrangements for 11 facilities-based CLECs and 10 resellers in Michigan.

31. Ameritech provides CLECs nondiscriminatory access to OS and DA services in the same manner and on the same terms and conditions as it currently does to ILECs in Michigan. Ameritech offers CLECs the same terms, conditions and pricing for OS and DA services that are offered to ILECs via stand-alone agreements in Michigan.

### **CONFIGURATION AND NONDISCRIMINATORY PROVISIONING OF OS AND/OR DA SERVICES**

32. Ameritech provides switch-based CLECs with access to OS/DA facilities and functionalities by standard trunk interconnections when such a CLEC elects to utilize Ameritech as its OS/DA provider. The CLEC's subscriber can access Ameritech's OS and DA services by dialing the same dial codes used by Ameritech subscribers, or another dialing code, as determined by the switch-based CLEC. To initiate routing of OS/DA calls to Ameritech, the CLEC orders dedicated trunks to Ameritech's operator switch per the terms of its interconnection agreement with Ameritech.

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33. For resale CLECs and CLECs utilizing Ameritech's unbundled local switching, OS/DA calls from their subscribers travel along the same shared trunks from Ameritech's end office switch to Ameritech's operator platform as do OS/DA calls from Ameritech's retail customers and from subscribers of other CLECs.
34. Direct Access to Ameritech's DA Database, which a CLEC might wish its DA operators to use on a query-by-query basis, is further discussed in the Direct Access portion of my affidavit.

### **WHOLESALE-SPECIFIC OS AND DA SERVICES AMERITECH PROVIDES**

35. Following are details about the services Ameritech provides to wholesale CLEC customers in conjunction with the OS and DA services Ameritech will provide to a CLEC's subscribers on the CLEC's behalf.
36. **Branding OS and DA Calls** - Branding of OS and DA calls from CLECs' subscribers is available on a nondiscriminatory basis in Ameritech. Switch-based carriers interconnect with Ameritech's operator switch via direct dedicated trunks and, like independent telephone companies, branding has been available for some time. The calls routed to Ameritech's operator switch over direct, dedicated trunks are readily identified as belonging to a specific CLEC and branded pursuant to the CLEC's option and request.
37. As represented in the December 27, 2000 Joint Progress Report filed in case No U-12320, Ameritech upgraded its OS/DA systems to make branding available to CLECs in Michigan that utilize shared trunking (i.e. CLECs providing local exchange service via resale or unbundled local switching). Shared, or common, trunks transport OS/DA calls from Ameritech's end offices to Ameritech's operator switches. This branding capability was

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offered to resale and UNE-based CLECs in an Accessible Letter in August 2000.<sup>29</sup> This branding capability is available to CLECs such that OS and DA calls from subscribers of different carriers (Ameritech and CLECs), combined on the same trunk, will receive the brand of the subscriber's local exchange carrier when the CLEC has subscribed to Ameritech wholesale branding service. Provisions for branding are available by amending existing interconnection agreements, and are included in the Appendices Resale, DA and OS of the Generic Interconnection Agreement and in Ameritech's UNE tariffs. Thus, Ameritech satisfies the branding requirements of FCC rule 47 C.F.R. §51.217(d). As of the end of March 2001, one resale CLEC had implemented branding for OS and DA. Nine facilities-based CLECs have implemented branding for OS and 11 facilities-based CLECs implemented branding for DA services. See Attachment A for details.

38. **Rate/Reference** is a wholesale service that enables Ameritech operators to quote a CLEC's Operator Service rates, provided to Ameritech by the CLEC, to the CLEC's subscribers upon request as required by Section 226 of the Act and FCC rules.<sup>30</sup> Ameritech has deployed new technology<sup>31</sup> specifically to enable Ameritech's operators to provide CLECs' rates at the CLEC's subscriber request, in parity with the service that Ameritech provides to its subscribers. Other services available with Rate/Reference wholesale service are:

- The ability to provide CLEC subscribers with the CLEC's business office and repair telephone numbers, and

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<sup>29</sup> Accessible Letter CLECAM00-074, August 1, 2000 can be found at <<http://sbc.clec.com>>.

<sup>30</sup> 47 C.F.R. § 51.217 (c)(3)(iv); See also GIA Appendix Resale, Appendix OS and Appendix DA.

<sup>31</sup> Accessible Letter CLECAM01-072, issued March 15, 2001, can be found at <<http://sbc.clec.com>>

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- CLECs' Time and Cost rate information to end users when the CLEC resells Ameritech's Hotel/Motel service.

39. **Inward Operator Service** includes Busy Line Verification and Busy Line Verification Interrupt services (described below). These services are available, under reciprocal contract, to operators of independent telephone companies and CLECs that provide their own OS (via their own switches or custom routing). Interexchange carriers and other Operator Services Providers (OSPs) access the Ameritech Inward Operator service under the terms of Ameritech's Federal Access Tariff Number 2, section 6.6.6 for Operator Transfer Service. With this wholesale service, other providers' operators can access Ameritech's Inward Operator personnel to check a line on Ameritech's network for one of the provider's end users attempting to place a call. The Ameritech operator provides a report on line status and, if required, interrupts the call on behalf of the party attempting to place a call. When an Ameritech subscriber requests verification and/or interrupt of another switch-based carrier's end user, Ameritech's operator will access the Inward Operator of the other carrier who will perform the same service.<sup>32</sup> Ameritech has offered Inward Operator Services to interexchange carriers through its Federal Access Tariff Number 2, and continues to make it available to any CLEC during negotiation or through amendments to existing interconnection agreements.

40. **Busy Line Verification** allows an Ameritech operator to determine, at a caller's request, whether a conversation is in progress on a particular line on Ameritech's network. Often

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this service is requested if a caller attempts to place a local or intraLATA call on a direct-dial basis and repeatedly reaches a busy signal. The caller dials zero and requests that the operator “check” the line to determine if it is busy. If the operator reaches a busy condition, the operator will access Ameritech’s verification equipment. The calling customer will still be on the operator’s line, but is on “hold” and cannot hear the verification process. When the operator accesses Ameritech’s verification network, a scrambler attaches to the line. The scrambler allows the operator to determine if a conversation exists on the line without interrupting the conversation and without being able to understand what is being said. The scrambler thus protects the parties’ privacy. The operator will report the result of the verification attempt to the calling customer.

41. **Busy Line Interrupt** is provided upon request, generally after Busy Line Verification service (described above) is provided. If the operator detects conversation on the line per the procedures outlined above, the caller may request that the operator interrupt that conversation. The caller is again placed on “hold.” The operator can then interrupt the conversation in progress. At that time the operator can hear what is being said and the parties on the busy line will also be able to hear the operator. An alerting tone will sound to alert the parties that the operator has accessed the line. Using the calling party’s name, the operator will advise of the request that the line be interrupted and ask if the line will be released. The operator will report back to the calling party, who can then dial direct; the operator does not complete the call.

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<sup>32</sup> FCC Second Report and Order, ¶ 111.

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### 42. Direct Access to DA Database versus Provision of DA listings and DA service --

Ameritech has distinct obligations under the Act, FCC rules and current interconnection agreements to provide non-discriminatory access to DA services, directory assistance listing information, and direct access to Ameritech's DA database. It is important to understand the distinctions among these terms.

43. As described above, Ameritech will provide its nondiscriminatory DA services on behalf of any CLEC upon request under Michigan's tariff or upon completion of an effective interconnection agreement,<sup>33</sup> as required by FCC Rule §51.217 (c)(3)(i). Purchasing wholesale DA services from Ameritech may be attractive to a CLEC that chooses not to provide its own DA services, but rather chooses to have Ameritech provide DA services to the CLEC's subscribers.

44. Second, Ameritech provides **DAL** information in bulk format to CLECs, or their agents,<sup>34</sup> to use to provide their own DA services. DAL information is defined as customer name, address and published telephone number (or indication of nonpublished status) and is priced on a per-listing basis. Ameritech offers, via its interconnection agreements,<sup>35</sup> to provide DAL information to CLECs via magnetic tape, cassette or electronic transmission of the DA

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<sup>33</sup> Schedule 9.2.7 – Operator Services and Directory Services, of the AT&T/Ameritech Michigan interconnection agreement, signed January 29, 1997.

<sup>34</sup> On January 23, 2001, the FCC released an order requiring LECs to make nondiscriminatory access to DA listings available not only to CLECs, but to DA providers that are agents of CLECs, or that offer call completion services. See *Provision of Directory Listing Information, Under the Telecommunications Act of 1934, As Amended, First Report and Order*, FCC 01-27 Docket 99-273 (released January 23, 2001) (DA Listings Order). Ameritech already made DA listings available to third party DA providers and complies with the terms of the FCC's order.

<sup>35</sup> See *First Amendment to the Interconnection Agreement under Sections 251 and 252 of the Telecommunications Act of 1996*, between MCImetro Access Transmission Services, Inc. and Ameritech, effective September 30, 1998; and Appendix DAL of the Generic Interconnection Agreement.

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listings.<sup>36</sup> Daily listing updates are provided by Ameritech in compliance with FCC Rule § 51.217 (c)(3)(ii). Consistent with the FCC's rule that any telephone customer should be able to access any listed number of any carrier on a nondiscriminatory basis,<sup>37</sup> Ameritech offers an agreement whereby a CLEC receives Ameritech's DAL listing information in bulk on a statewide, geographic area or class of service basis (business/government or residence or all). In addition to current, effective agreements, Appendix DAL in the GIA provides nondiscriminatory access to directory assistance listing information.<sup>38</sup> In compliance with FCC rules,<sup>39</sup> Ameritech provides all the listings in Ameritech's DA database to such carriers regardless of the subscriber's underlying local exchange carrier.

45. Third, Ameritech also offers CLECs physical interconnection with direct access, on a query-by-query basis, to the same DA database that is accessed by Ameritech operators for DA purposes.<sup>40</sup> Direct Access to Ameritech's DA database<sup>41</sup> enables CLECs' operators to provide DA service to the CLEC's subscribers using Ameritech's database (with listings in the same format as Ameritech's operators use) without the need to create or update its own database with Ameritech listings.

46. Direct Access connection and pricing are on an individual case basis and will be implemented upon completion of an effective agreement. Upon receipt of an order from a

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<sup>36</sup> In compliance with the requirements of the FCC's DA Listings Order detailed in footnote 35, SWBT will not enforce contract provisions restricting use of DA listings, nor will it seek to impose such restrictions on a going forward basis, subject to reconsideration by the FCC or any appeal of the order. Accessible Letter CLECAM01-080 can be found at <<http://sbc.clec.com>>

<sup>37</sup> 47 C.F.R. §51.217(c)(3)(i).

<sup>38</sup> 47 C.F.R. §51.217(c)(3)(ii).

<sup>39</sup> 47 C.F.R. §51.217(c)(3)(ii); *Local Competition Second Report and Order*, 11 FCC Rcd at 19460; and FCC 98-271, paragraphs 248-251 in Bell South's application for 271 relief in Louisiana.

<sup>40</sup> See Section 2.4 of Schedule 9.2.7 - Operator Services and Directory Services, of the AT&T and Ameritech Michigan interconnection agreement, signed January 29, 1997. See also GIA, Appendix Direct.

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CLEC for Direct Access, Ameritech will work with the CLEC to activate this service, based on the CLEC's specifications. For more information about the options available for Direct Access to Ameritech's DA database, see the "Pricing and Billing of OS and DA Services" section of my affidavit.

### **PRICING AND BILLING OF OS AND DA SERVICES**

47. Resale CLECs are billed for OS and DA services at Ameritech's retail rates minus the appropriate avoided cost resale discount. Facilities-based CLECs that utilize nondiscriminatory access to OS and DA services are billed the contract rate for each OS or DA call or adjunct wholesale service handled by Ameritech.<sup>42</sup> Since custom routing is available throughout Ameritech's serving area, OS and DA services, as well as DAL, are offered via interconnection agreements at market-based prices. However, Ameritech also offers OS and DA services as unbundled network elements under the Michigan UNE tariff and continues to honor the terms, conditions and prices of current, effective Michigan interconnection agreements until expiration of those agreements.

48. Switch-based CLECs connect to Ameritech's operator switch via direct trunking and are billed on a per-call basis. Switch-based CLECs are billed using the same billing process that Ameritech uses with its ILEC customers, via Ameritech's Local Exchange Carrier Services Billing (LSB) system. Usage of Ameritech's wholesale OS and DA services by subscribers of UNE-based CLECs' are tracked and data is provided to the CLECs in Ameritech's daily usage file. Charges for OS and DA calls are billed to the CLECs via Ameritech's Resale Billing System (RSB).

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<sup>41</sup> This method is described in the FCC Second Report and Order, §143.

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49. Directory Assistance Listings are offered at market-based prices to CLECs with existing interconnection agreements via an amendment to their agreement. DA Listings are also available to CLECs when negotiating an interconnection agreement via Appendix DAL.<sup>43</sup> CLECs that purchase Ameritech's DAL are billed via Ameritech's LEC Services Billing (LSB) on monthly invoices that include other wholesale charges (i.e. Switch-based OS/DA traffic, Local Number Portability Database Query Charges and Tandem Switching & Transport to Non-AIT offices).
50. Direct Access to Ameritech's DA database is priced on an individual case basis, since the technical configuration for this offering would be implemented to accommodate each CLEC customer. While no CLEC has requested Direct Access to Ameritech's DA database, the option is available from Ameritech host switches to a CLEC's compatible Host Switch and compatible DA equipment.
51. As discussed previously, Ameritech developed and deployed branding for calls carried from Ameritech's end office switches to Ameritech's operator platform over shared trunks. Thus, each resale CLEC and CLEC providing local exchange service via unbundled local switching can disclose its name when its subscribers' call for OS or DA services provided by Ameritech on the CLEC's behalf. Like independent telephone companies that route their OS/DA calls to Ameritech's operator platform, switch-based CLECs can route their

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<sup>42</sup> Generic Interconnection Agreement Appendix Pricing

<sup>43</sup> See GIA Appendix DAL

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OS/DA traffic to Ameritech on dedicated trunks and branding is available<sup>44</sup> on those calls, as well.

52. Consistent with the rate/reference capability Ameritech has for its own retail customers, Ameritech can quote CLECs' rates upon the CLEC subscriber's request, when Ameritech provides Operator Services on behalf of the CLEC and the CLEC has subscribed to Ameritech's wholesale Rate/Reference service.<sup>45</sup> Market-based rates are being offered as new contracts are negotiated.<sup>46</sup> Currently, no facilities-based CLECs and no resale CLECs in Michigan have purchased Rate/Reference with Ameritech's Operator Services. (See Attachment A).

## **PERFORMANCE MEASUREMENTS FOR OS AND DA SERVICES**

53. Ameritech provides CLEC subscribers with nondiscriminatory access to OS and DA services through the same dialing arrangements Ameritech uses for its own customers.<sup>47</sup> As a result, there is no dialing delay, consistent with Section 251(b)(3) of the FCC's rules issued in CC Docket 96-98.<sup>48</sup> Ameritech ensures nondiscriminatory access to OS and DA by processing all calls in the order they are received from all callers (i.e. first in, first served).<sup>49</sup> When an Ameritech operator switch receives electronic notification that an OS or DA call has arrived on a trunk carrying such traffic, it searches for an idle operator position and, as quickly as one is available, connects the call to the position that has been idle the longest. If no operator is available, the call is time-stamped and placed in the "calls waiting" queue.

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<sup>44</sup> See Section 2.2, Schedule 9.2.7 – Operator Services and Directory Services of the AT&T/Ameritech Michigan Interconnection Agreement signed January 27, 1997. See also Ameritech Michigan's UNE tariff.

<sup>45</sup> See GIA Appendix Resale, Appendix DA, Appendix OS.

<sup>46</sup> See GIA Appendix Resale, Appendix DA, Appendix OS.

<sup>47</sup> 47 C.F.R., §51.217(c)(2)

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When an operator position becomes available, the operator switch searches the calls waiting queue and connects the oldest call to the idle position. Since the operator switch and the calls waiting queue cannot discern any difference among callers -- handling every call as first in, first served -- end user customers of other carriers inherently receive exactly the same answer performance that Ameritech end-users receive.

54. Performance Measurements for OS and DA include the following and are described in more detail in the Fioretti affidavit.<sup>50</sup>

- Directory Assistance Grade of Service
- Directory Assistance Average Speed Of Answer
- Operator Services Grade of Service
- Operator Services Speed Of Answer
- Percentage of Calls Abandoned

## CONCLUSION

55. Ameritech has met checklist items 271(c)(2)(B)(vii)(II) and (III). Ameritech provides nondiscriminatory access to OS and DA services and its DA listings pursuant to Section 251(b)(3) of the Act. Ameritech offers ILECs and CLECs access to OS and DA services in the same manner as it does to its own subscribers. If a CLEC, or its agent, wishes to purchase DAL used by Ameritech DA operators, Ameritech will negotiate a mutual licensing agreement for exchange of DA listings and provides all the DA listings in its DA database, regardless of the underlying local exchange carrier. Ameritech also provides

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<sup>48</sup> 47 C.F.R. §51.217(b)

<sup>49</sup> 47 C.F.R. §51.217 (a)(2)

<sup>50</sup> Id. Michigan Bell Telephone Company, a Michigan corporation, is a wholly owned subsidiary of Ameritech Corporation, which owns the former Bell operating companies in the states of Michigan, Illinois, Wisconsin, Indiana, and Ohio. Ameritech Corporation is a wholly owned subsidiary of SBC Communications, Inc. Michigan Bell offers telecommunications services and operates under the names "Ameritech" and "Ameritech" pursuant to assumed name filings with the state of Michigan.

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Direct Access to its DA database. On a resale and unbundled local switching basis, Ameritech is providing CLECs with nondiscriminatory access to Ameritech OS and DA services, including call branding, in the same manner that Ameritech provides these services at retail to its own subscribers.

56. This concludes my affidavit.

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This concludes my affidavit.

The information contained in this affidavit is true and correct to the best of my knowledge and belief.

Executed on \_\_\_\_\_, 2001

\_\_\_\_\_  
Jan D. Rogers  
Director – Regulatory/Operator Services

STATE OF TEXAS  
COUNTY OF DALLAS

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Notary Public

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