

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion,)
to consider Ameritech Michigan's compliance)
with the competitive checklist in Section 271 of)
the Federal Telecommunications Act of 1996)

Case No.U-12320

**REPLY AFFIDAVIT OF
MICHAEL D. SILVER
ON BEHALF OF
AMERITECH MICHIGAN**

DATED: JULY 30, 2001

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

INTRODUCTION

1. My name is Michael D. Silver. I am an Associate Director in SBC's Wholesale Marketing group, where I am responsible for providing support to Michigan Bell Telephone Company d/b/a Ameritech Michigan ("Ameritech")¹. My business address is 350 N Orleans, Chicago, IL 60654.
2. I am the same Michael D. Silver who filed an affidavit on behalf of Ameritech on May 15, 2001. I hereby verify, based upon my personal knowledge, the accuracy of each and every fact contained in the affidavit I am filing today, July 30, 2001, in Michigan Public Service Commission Case No. U-12320. I further verify, based upon my personal knowledge, the accuracy of each and every fact contained in the affidavit I filed on May 15, 2001 in Case No. U-12320 (with the clarifications as noted in paragraphs 39 and 40 below) and to the statements made herein.

PURPOSE

3. The purpose of my affidavit is to respond to comments filed by AT&T in its brief, AT&T witness Mr. Scott Finney, the brief filed by XO Communications, the affidavit filed by XO Communications witness Mr. Alan C. Lunceford, the brief filed by

¹ 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.

McLeodUSA, the brief filed by WorldCom, and the affidavit filed by WorldCom witness Ms. Sherry Lichtenberg. In doing that, I will address their comments as they relate to Line Splitting, the ordering of xDSL capable loops and the HFPL UNE, and I refute any allegation that Ameritech's processes are discriminatory.

LINE SPLITTING

4. Contrary to claims made by both AT&T² and WorldCom³, Ameritech has met all of its obligations relative to Line Splitting.
5. As I explained in my May 15 Affidavit filed in this proceeding at paragraphs 74-76, Ameritech permits CLECs to engage in line splitting, using Ameritech's UNEs, in full compliance with the FCC's rules and the MPSC's Order in Case No. U-12540. In accordance with the FCC's rules and orders, including the *Line Sharing Reconsideration Order*, Ameritech Michigan supports line splitting where a CLEC purchases separate UNEs (including unbundled loops, unbundled switching, and associated cross-connects), and combines them with its own splitter (or the splitter of the CLEC's data partner) in a collocation arrangement.⁴ Specifically, a CLEC may purchase each of these unbundled network elements from Ameritech Michigan, or in combination with their own facilities, and then use them to provide both voice and data service over the loop. Alternatively, a CLEC may provide voice service while a data partner provides data services.

² AT&T Communications of Michigan, Inc.'s and TCG Detroit's Comments on the May 15, 2001 Checklist Informational Filing of SBC Communications, Inc., Ameritech Michigan, and Ameritech Long Distance For Provision of In Region, InterLATA Service In Michigan, Case No. U-12320 and Affidavit of Scott L. Finney on Behalf of AT&T Communications of Michigan, Inc. and TCG Detroit, Case No. U-12320 filed on June 29, 2001.

³ Response of WorldCom to Ameritech's May 15, 2001 Checklist Filing, Case No. U-12320

⁴ The FCC requires ILECs to accommodate line splitting only where a CLEC purchases an entire loop and provides its own splitter. *Line Sharing Reconsideration Order*, ¶ 19; *Texas 271 Order*, ¶ 325.

6. The primary focus of both AT&T's and Worldcom's contention that Ameritech has not met its Line Splitting obligations has to do with the relationship between UNE-P and Line Splitting⁵. Both CLECs argue that Ameritech has refused to provision UNE-P orders so as to allow line splitting. The fallacy of their argument relates to their definition of UNE-P. UNE-P is a specific product offered by Ameritech, which consists of an unbundled loop and an unbundled switch port with shared transport that are cross-connected together in Ameritech's network. In order to have line splitting, which involves a voice CLEC and a data CLEC, neither of which is Ameritech, the unbundled loop and the unbundled switch port must both be cross-connected to a collocated splitter owned by one of those CLECs. Therefore, although the same piece parts which make up Ameritech's UNE-P may ultimately be included in the final set of unbundled network elements⁶ used to provision service to the end user, before line splitting can take place, the CLEC owned splitter, which is collocated in Ameritech's central office, must first be added to the UNEs being purchased from Ameritech.
7. In the FCC's *Line Sharing Reconsideration Order*⁷, they recognized if a CLEC wishes to line split utilizing facilities comprising a UNE-P combined in an ILEC's network previously providing voice traffic, the combination would need to be split into individual UNEs. Specifically they said:

For instance, if a competing carrier is providing voice service using the UNE-platform, it can order an unbundled xDSL-capable loop terminated to a collocated splitter and DSLAM equipment and unbundled switching combined

⁵ Finney Affidavit, ¶ 28-40; WorldCom brief, pages 22-28

⁶ Use of the existing piece parts is consistent with the FCC's requirement that xDSL service be provided over the same line. *Line Sharing Reconsideration Order*, ¶ 23

⁷ *Third Report and Order On Reconsideration in CC Docket No. 98-147 and Fourth Report and Order on Reconsideration in CC Docket No. 96-98* (January 19, 2001) ¶19

with shared transport, to replace its existing UNE-platform arrangement with a configuration that allows provisioning of both data and voice services.

(footnotes omitted) (emphasis added)

8. In paragraph 20 of the *Line Sharing Reconsideration Order*, the FCC went on to say:

Thus, an incumbent LEC must perform central office work necessary to deliver unbundled loops and switching to a competing carrier's physically or virtually collocated splitter that is part of a line splitting arrangement (emphasis added)(footnote omitted).

It is apparent the FCC is acknowledging the CLEC must be the one combining the elements, and to include the splitter in its configuration, since they reference the splitter being “physically or virtually collocated”. It is also clear from the FCC’s language that the type of “UNE-P” configuration that ILECs are required to support in relation to line splitting consists of a stand-alone loop and a stand-alone switch port that is combined with a CLEC-owned splitter. This usage of the term is completely consistent with Ameritech’s terms for line splitting. Therefore, AT&T’s and Worldcom’s usage of the term of UNE-P is not consistent with the FCC definition.

9. On page 26 of WorldCom’s Brief, they state: “The WorldCom method of line splitting for migrations, on the other hand, would involve no downtime or disruption of voice or data service.” I am not sure what they mean by “the WorldCom method of line splitting”, however since the existing UNE-P would have to be split between the loop and the switch port, the issue of downtime cannot be avoided. The fact remains, either the voice CLEC or the data CLEC must provide the splitter in the line splitting scenario, and that splitter must come between the loop and the switch port. When the new arrangement (UNE loop, CLEC splitter, UNE switch port, shared transport) is created, there may be some unavoidable downtime in the end user’s service. This

downtime is no different than the downtime that occurs when the HFPL UNE is purchased on a working POTS line.

10. If WorldCom is referring to a scenario where line sharing is being migrated to line splitting, that scenario is already being addressed in the line splitting collaborative, and is covered under Scenario 2B of the matrix provided to that collaborative. A copy of the transmission of the matrix and written response sent to the collaborative on June 25, 2001 is included as Attachment A to this reply affidavit. The matrix of line splitting scenarios attached to that response is included as Attachment B to this reply affidavit.
11. On page 24 of its Brief contesting Ameritech's application for 271 relief, WorldCom alleges that during a meeting held on May 11, 2001, Ameritech stated the voice CLEC must have its own splitter for UNE-P line splitting. On that same page, WorldCom notes that typically the data CLEC will have its own splitter, thus there is no need for the voice CLEC to have a splitter. This allegation that Ameritech requires the voice CLEC to have its own splitter is completely inaccurate. In fact, in paragraph 76 of my May 15 affidavit I specifically noted that "a CLEC may enter into an agreement with a second CLEC to use its collocated splitter". Obviously Ameritech recognizes the voice CLEC is not necessarily required to have its own splitter when two CLECs are line splitting, but one of the two CLECs must have a splitter.
12. On the same page in its Brief, WorldCom contests Ameritech's position that the Data CLEC has first right of refusal when an end user decides it no longer wants Ameritech as its voice provider in a line sharing scenario. In paragraph 72 of the FCC's *Line Sharing Order*, they expressly stated:

"...in the event that the customer terminates its incumbent LEC provided service, for whatever reason, the competitive data LEC is required to purchase the full

stand-alone loop network element if it wishes to continue providing xDSL service.”

The data CLEC in this scenario may have already paid to have the loop conditioned to meet its needs, and thus, in accordance with the FCC’s rules, Ameritech is required to provide the data CLEC the first opportunity to become the sole provider over that loop.

13. WorldCom also alleges that Ameritech requires existing lines be converted to DS0 in order to provision Line Splitting. This statement makes no sense. For line splitting to occur, the loop must be xDSL capable. The statement WorldCom is probably referring to was that if the existing service is being provided over a basic voice grade loop, it must be converted to an xDSL capable loop before the CLEC may provision DSL services on the loop.
14. On page 27 of WorldCom’s Brief, they contest the issue of “coordination” between the voice CLEC and the data CLEC. In the case of line splitting, Ameritech only has one customer of record for each individual UNE purchased. In a scenario where the voice CLEC had existing UNE-P, the voice CLEC is the customer of record. In this situation, in order to coordinate the migration from an existing UNE-P, the voice provider will be the customer of record because they lease the UNE-P, which includes the loop and the port, and will place all three related orders. This is the case whether the elements are terminated in the data CLEC's collocation arrangement or not, either way, they just give us the Connecting Facility Assignments (“CFA”) of where each UNE should be cross-connected. In this scenario, the voice provider will make any subsequent changes to this arrangement, because that's who will become the billed customer. If the line splitting is a new configuration, each CLEC may be a customer of record for the unbundled element they may be purchasing, i.e., the loop or the port.

15. WorldCom says on page 23 of their Brief that Ameritech has “refused” to provision about 400 WorldCom UNE-P voice orders in Michigan to allow line splitting.⁸ First, Worldcom’s count of rejected orders is wrong.
16. As the May 15, 2001 e-mail from Peggy Herzog (Ameritech) to Catherine Castorena (WorldCom) attached to WorldCom’s Attachment F to their Brief shows, Ameritech noted the basis for rejection of each of the 142 orders in question. The vast majority of these rejections were due to WorldCom not being the customer of record, thus WorldCom needed to coordinate the order with that customer of record. On June 22, 2001 Ameritech provided WorldCom with more information and proposed another meeting to accommodate WorldCom’s line splitting scenarios. No individual meeting with WorldCom has been scheduled to date, but discussions have taken place considering the line splitting scenarios as part of the Michigan collaborative process.

ORDERING

17. WorldCom affiant Ms. Young Noble⁹ has alleged that Ameritech has misled WorldCom regarding the ordering requirements for DSL services. In the ensuing paragraphs, I will address her contentions, and explain why they are unfounded.
18. On pages 2 and 3 of her affidavit, Ms. Noble discusses something she refers to as a “Clean Order Test”. She goes on to say that Ameritech worked with WorldCom to perform this Clean Order test, which led to WorldCom developing an internal job aid,

⁸ WorldCom’s count of over 400 rejected orders in Michigan is a gross overstatement. In fact, as noted in the same April 18, 2001 e-mail referred to in WorldCom’s Brief, they indicate the number of contested orders in Michigan is 124. In reality the number is 142.

⁹ Affidavit of Young Noble Regarding Certain DSL Issues, Case No. U-12320

which was then rendered inaccurate since Ameritech “unilaterally and without notice to its business contacts at WorldCom changed its business practices.”¹⁰

19. Clean Order testing for WorldCom is a verbal walk through of how to place an order with Ameritech’s Local Service Center (LSC) in order to minimize the rejection of orders. This process takes place via a conference call between Ameritech and WorldCom, and faxed copies of orders are reviewed by the two companies to talk through the order process. On October 31, 2000 a clean order test took place for HDSL service, and on November 1, 2000 WorldCom confirmed the test was successful. On December 14, 2000 Ameritech reviewed the job aid developed by WorldCom based on the clean order test, and suggested one modification, that being the clarification that the due date interval would be 10 days if conditioning was required. This was communicated to WorldCom in an email sent to Trinetta Milroe.
20. Regarding Ms. Noble’s allegation that Ameritech changed its business practices, thus negating the validity of the job aid developed by WorldCom as a result of the clean order test, she is simply incorrect. The Network Channel/Network Channel Interface (“NC/NCI”) codes used to order the HDSL compatible loop are the same today as they were when the clean order test was conducted at the end of October, 2000.
21. Ms. Noble then proceeded to claim that Ameritech now requires the use of a specification (“SPEC”) code when ordering a 4-wire HDSL-compatible loop, explaining that, at the time of the clean order test, WorldCom was told such a SPEC code would not be required.¹¹ Ms. Noble is wrong again, if WorldCom orders either an ADSL or HDSL compatible loop, no SPEC code is required. SPEC codes are only

¹⁰ Affidavit of Young Noble Regarding Certain DSL Issues, Case No. U-12320, page 3, lines 6 and 7

¹¹ Affidavit of Young Noble Regarding Certain DSL Issues, Case No. U-12320, page 3, lines 12-21

required when loop conditioning is requested. Nothing has changed in this regard from the time of WorldCom's clean order test.

22. Ms. Noble has claimed Ameritech, incorrectly told WorldCom they "should only submit DSL and PSD (Power Spectral Density) orders via a LSR (Local Service Request) and not an Access Service Request ("ASR").¹² This statement supposedly took place during a June 14, 2001 conference call. Someone may very well have made such a statement, but contrary to the insinuation made by Ms. Noble, they were referring to how orders will be placed in the future. As of March 9, 2002, Ameritech will no longer accept orders for local loops via the ASR, but will require such orders to use the LSR. This change was discussed in the October 2000 Change Management meeting between Ameritech and the CLEC industry, and was formalized in the Accessible letter issued by Ameritech on March 8, 2001 (Ameritech OSS Accessible Letter CLECAM01-033).¹³ At the current time, CLECs can still use the ASR to order their local loops, but are being encouraged to begin using the LSR.

23. On page 4, lines 17 thru 20, of Ms. Noble's affidavit she states that Ameritech has told WorldCom they need to use a category "3b" PSD to order 4-wire HDSL capable loops. Ms. Noble then proceeds to argue there is no documentation to tell WorldCom to use that PSD, and therefore it is being prevented from ordering the HDSL capable loops. This complaint is nonsensical, Ms. Noble first says Ameritech has told her which PSD to use to order the HDSL capable loops, then says she doesn't know what code to use. In fact, an email was sent to WorldCom on May 14, 2001 (see Silver Reply Affidavit- Attachment C) providing WorldCom with the PSD ordering

¹² Affidavit of Young Noble Regarding Certain DSL Issues, Case No. U-12320, page 4, lines 11-14

¹³ Ameritech's accessible letters are available at <https://clec.sbc.com/acclatters/home.cfm>

information which will allow WorldCom to order 4-wire xDSL capable loop over which they may provision HDSL.

24. On page 5 of Ms. Noble's affidavit she says Ameritech had taken an action item "to define the differences between DSL and PSD". She goes on to say that Ameritech responded by saying "There isn't a difference between DSL and PSDs...". That is a true statement, there isn't a difference between a xDSL capable Loop and a PSD DSL Loop. Under the FCC rules, ILECs are required to maintain an inventory of, and provide upon request, the number of individual loops within a particular binder group that carry advanced services and the type of technology deployed on those individual loops. Ameritech can only fulfill this requirement if CLECs provide PSD information on a loop by loop basis. In discussing this requirement in the *Line Sharing Order*, the FCC explained, "We believe that the benefits of applying such information disclosure requirements to competitive LECs outweigh any burdens, particularly because we believe that the provision of such information is integral to a claimed presumption of acceptability anyway. Moreover, we anticipate and expect that the provision of such information by carriers will minimize conflicts over whether the proposed deployment falls within the presumption of acceptability."¹⁴
25. Notwithstanding the fact that WorldCom has been told which PSDs to use to order a xDSL capable loop over which WorldCom may provision HDSL., Ameritech has acknowledged the concerns related to the CLEC Online documentation. To that end, Ameritech has put together a team to address this issue to enhance our documentation and to add to our capabilities related to the use of PSD masks, and we will be posting updated information as it is available, with all work completed no later than September 2001.

¹⁴ *Line Sharing Order* at ¶ 204.

26. On page 5, lines 8 thru 18 of her affidavit, Ms. Noble says WorldCom requested a copy of the ANSI document references for a list of NC/NCI codes, and Ameritech has not responded. ANSI is an industry standards organization. The ANSI documents are not created or maintained by Ameritech. Worldcom is able to request documents from ANSI directly. WorldCom is aware that CLECs may view Ameritech's technical publications via Ameritech's CLEC Online, and may order copies of technical publications by choosing technical publications under the Unbundled Loops option in the CLEC Handbook. .¹⁵
27. On page 6, lines 12 through 19, Ms. Noble claims that Ameritech has been unable to tell WorldCom when IDSL will be available, nor what SPEC code should be used. WorldCom, along with any other CLECs attending the April 2001 CLEC User Forum, was told the IDSL capable loop would be available by the end of June 2001. On June 28, 2001, Ameritech issued an Accessible Letter (CLECAM01-185) notifying CLECs that the IDSL capable loop would be available effective June 29, 2001 in the Ameritech region. That accessible letter spelled out necessary ordering information, including the applicable SPEC code. Further, an IDSL capable loop was introduced, voluntarily, in Ameritech's MPSC Tariff No. 20R, Part 19, Section 2, effective on June 29, 2001.
28. In the affidavit filed by Mr. Alan C. Lunceford of XO Communications ("XO"), he says Ameritech has cancelled XO's DSL loop orders, citing "LOOP MAKEUP INFORMATION NOT AVAILABLE" as the reason. He goes on to infer that XO's requests to get the loop length of each rejected order is being denied despite the fact that other SBC affiliates provide the loop length to other XO affiliates in other states.

¹⁵ All CLECs are encouraged to attend CLEC training where they will be provided documentation and hand-outs giving information on where they can find technical documentation.

He also claims neighbors of those end users for whom XO is requesting the DSL service which has been rejected are being provided DSL service by XO's competitors, and in some instances Ameritech is providing its own DSL service to some of those same XO customers who received a rejection.

29. The fact that XO is receiving the message noting lack of loop make-up information begs the question as to whether XO had ever requested loop pre-qualification prior to issuing their orders. It is possible XO's problems could be resolved if they were to simply request manual loop qualification. As noted in my May 15 affidavit "CLECs can also choose between placing an order based on the information available electronically or requesting a manual look-up of any actual loop make-up information not stored in Ameritech's electronic databases." If XO is not requesting a loop pre-qualification, they may not be aware the loop make-up information for the requested loop is not stored in Ameritech's electronic databases, and therefore would require a manual loop qualification.
30. If XO is utilizing the updated Enhanced Verigate to place their orders, if loop make-up information is not available in the electronic database, they would be told they need to request a manual loop qualification. If they have not yet moved to Enhanced Verigate, the Enhanced Verigate User Guide, found in the CLEC Handbook under User Guide & Tech Pubs on the <<clec.sbc.com>> web site, will tell them how to request a manual loop qualification.
31. If XO requests loop make-up information either electronically using Enhanced Verigate, or manually, they will get the loop length for the requested loop. Contrary to Mr. Lunceford's inference, no state in the SBC serving territory has a means to provide loop length without going through the loop qualification process.

32. As to Mr. Lunceford's other complaint, it is possible for a next door neighbor to have DSL service, yet have an order for XO's customer be rejected due to lack of loop make-up information. That customer's loop may have been qualified using the manual loop qualification process and may have been conditioned per the DSL providers request. Similarly, if no data exists for the new customer in the mechanized database, Ameritech will perform a manual loop qualification and if necessary conditioning at the data providers request. The same scenario would be true for loops provided to Ameritech's data affiliate.
33. Furthermore, Ameritech offers CLECs the ability to utilize the "As Is" SPEC code which will permit the CLEC to obtain the loop without doing a loop qualification, and will not have the order rejected even if loop make-up information does not exist in the electronic database.
34. Thus, XO has the ability to avoid having orders rejected for "lack of loop make-up information" by either doing a manual loop qualification, or by using the SPEC code for ordering the loop as is.
35. On page 9 of McLeodUSA's brief¹⁶, they claim Ameritech's systems for providing loop make-up data are not "completely accurate". I addressed this issue in paragraphs 41 through 43 of my May 15th affidavit. In those paragraphs, I explained that Southwestern Bell Telephone ("SWBT") has implemented an enhancement to the loop qualification system. This enhancement modifies the system so the search for a non-loaded loop continues "until either (a) the system locates a non-loaded copper loop with loop information loaded in the Loop Facility Assignment and Control Center ("LFACs"); or, (b) the system completes the search of all loops to the

¹⁶ Comments of McLeodUSA filed on June 29 in response to Ameritech's May 15, 2001 Checklist Informational Filing

requested premise.” I went on to say a similar enhancement is being developed for Ameritech and is scheduled to be in place by August 2001. This enhancement should address McLeodUSA’s concerns about their loop make-up requests.

36. In paragraph 36 of Mr. Finney’s affidavit he claims Ameritech has not given any specifics on ordering for the conversion of UNE-P to line splitting. In Ameritech’s CLEC Handbook found on CLEC Online, Scenario 2 found under UNE Line Splitting, spells out the 3 related orders required to do this conversion.

37. Mr. Finney’s affidavit also says Ameritech’s three-order process used to convert UNE-P to Line Splitting has been “rejected by the FCC”. Mr. Finney is misrepresenting the FCC. As Mr. Finney’s own affidavit says, the FCC did not reject any ordering process, but did “encourage” the ILECs and CLECs to work together to develop a one-order process. Mr. Finney’s inference that Ameritech is in violation of some FCC requirement is unfounded.

DISCRIMINATION

38. On pages 28 and 29 of Mr. Finney’s affidavit, he makes statements presuming Ameritech’s OSS practices have been discriminating against other CLECs in favor of its advanced services affiliate, AADS.¹⁷ Mr. Finney bases his supposition on a confidential copy of Ameritech’s internal methods and procedures.

39. Although certain parties have attempted to draw inferences to the contrary from a version of Ameritech’s internal methods and procedures (M&P), Ameritech’s practices are completely non-discriminatory. As Mr. Derrick Hamilton testified in Illinois Docket No. 00-0592 (Joint Submission of the Amended Plan of Record for

¹⁷ AADS or Ameritech Advanced Data Services is Ameritech Michigan’s advanced data services affiliate and is also doing business as Advanced Solutions, Inc. or ASI.

Operational Support Systems), whatever inferences one might attempt to draw from the M&P (referring to the M&P which Mr. Finney based his erroneous supposition on in this Case), the actual practice followed in the performance of manual loop make-up is, and has been, to provide manual loop make-up on a non-discriminatory basis. It is Ameritech's well-established policy to treat all CLECs alike, including its affiliate. In fact, the hearing examiners in that Illinois Docket found "The document taken together with the testimony does not reflect discrimination"¹⁸ Although Ameritech's practices prohibit discrimination against any customer in any fashion, to remove any possible misinterpretation or misrepresentation by other parties of Ameritech's practices, the M&P has been revised and became effective on June 1, 2001. This revised document was provided to AT&T in response to their Information Requests in this proceeding.

CLARIFICATIONS TO MY MAY 15, 2001 AFFIDAVIT

40. In paragraph 31 of my May 15 affidavit, I referenced an Attachment, and this Attachment identified 45 elements being available for loop qualification in Ameritech. The 45 elements were based on a preliminary format, which had been discussed by the industry. The final version, which is currently in place is for 51 elements returned from loop qualification, and can be found in my Attachment D to this reply affidavit. One of the reasons for the change was the list of 45 elements had redundancies, and are not specifically returned as their own element. Examples of these were Presence of Load Coils (Item 5 of the Silver Attachment-B) and Presence of Bridged Taps (Item 7 of the Silver Attachment-B). On the new list of 51 elements, Quantity of Load Coils (Item 14 of Silver Reply – Attachment D) and Quantity of

¹⁸ July 9, 2001 Notice of Ruling, ICC Docket 00-0592, @ Page 3

Bridged Taps (Item 32 of Silver Reply – Attachment D) would be 0 if there were no load coils or bridged taps, and if there is a presence of either, there would be a count in that field. In other cases, items in the original list have now been disaggregated into multiple elements. An example of this is element #1 (loop length) on the list filed with my May 15 affidavit has now been broken into three possible elements in the list found in the list attached to this reply affidavit (#11 Total Loop Length, #22, Loop Length Copper, and #23, Loop Length Fiber). There are also additional elements found in Silver Reply – Attachment D that were not found in Silver Attachment B, filed in my May 15 affidavit. Examples of these are Spectrum Management Class (item 3) and the Length of loop by Plant Type (item 50). Silver Reply – Attachment E provides reconciliation between the 45 elements shown on my Attachment A filed along with my May 15 affidavit and the 51 elements found on Silver Reply – Attachment C.

41. The references in paragraph 51 of my May 15 affidavit should have clarified that the xDSL capable loops being referred to in that paragraph were limited to ADSL and HDSL loops, as those are the only two types of xDSL capable loops Ameritech provided at the time. The paragraph should have been worded to read:

“In the event a CLEC does not order an xDSL capable loop by providing the PSD, the order will be processed the same as any other unbundled loop¹⁹. Through this process if facilities are available and no modifications are necessary, the order is provisioned electronically. In the event facility modifications are required to provision the ADSL/HDSL loop, the order is processed pursuant to the Facility

¹⁹ Prior to the SBC/Ameritech merger, Ameritech did not offer an xDSL-capable loop that could be used with any PSD mask. Instead, Ameritech offered ADSL/HDSL loops. Unlike Ameritech’s current offering, the xDSL-capable loop, ADSL/HDSL loops did not have standard conditioning terms and conditions. Instead, facility modifications, including conditioning, for ADSL/HDSL loops are handled in the same manner as other unbundled loops.

Modification (FMOD) process. (See the Bill Deere and Justin Brown affidavits for a description of the FMOD process.)”

CONCLUSION

42. This reply affidavit has addressed comments by parties attempting to cast doubts on Ameritech’s showing that it has met all of the FCC’s competitive checklist requirements relating to loop qualification pre-ordering functionality, xDSL-capable unbundled loops, standard xDSL loop conditioning, the HFPL UNE, and line splitting. In sum, I have demonstrated that Ameritech Michigan is in compliance with the FCC’s and MPSC’s requirements for advanced services related UNEs.