

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

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

DATED: AUGUST 23, 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 and a reply affidavit on behalf of Ameritech on July 30, 2001. I hereby verify, based upon my personal knowledge, the accuracy of each and every fact contained in the affidavit I am filing today, August 23, 2001, in Michigan Public Service Commission Case No. U-12320.

Purpose

3. The purpose of my affidavit is to respond to affidavits filed by AT&T affiants Scott Finney² and James F. Henson³. Specifically, I will respond to these affiants' comments concerning the information provided by Ameritech to AT&T, as well as other CLECs in Michigan, related to the Line Splitting Scenarios referred to in the

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.

² Second Affidavit of Scott L. Finney on behalf of AT&T Communications of Michigan, Inc. and TCG Detroit, filed July 24, 2001 in MPSC Case No. U-12320 ("Second Finney affidavit").

³ Affidavit of James L. Henson on behalf of AT&T Communications of Michigan, Inc. and TCG Detroit, filed July 24, 2001 in MPSC Case No. U-12320 ("Henson affidavit").

Finney and Henson affidavits. Additionally, I will also address Mr. Finney's continued concerns relative to Ameritech's multi-order process for converting circuits from a UNE Platform ("UNE-P") to a CLEC provided Line Splitting arrangement, using separate loop and switch port UNEs. Ameritech is also filing the Supplemental Reply affidavit of Mr. Mark Welch, which will also respond to the AT&T affiants and will provide a network architecture overview of the various line splitting scenarios.

Line Splitting Ordering Process

4. Mr. Finney continues to allege that the FCC has required Ameritech to implement a one-order process for converting UNE-P to Line Splitting (Finney Second Affidavit at par 4). Mr. Finney is wrong. As I noted in paragraph 37 of my Reply affidavit⁴, there is no FCC requirement to implement such a one-order process. Instead, as Mr. Finney himself concedes in both his affidavit in this case filed on June 29, 2001, and again in the Second Finney affidavit filed on July 24, 2001, the FCC said:

“[W]e encourage incumbent LECs and competing carriers to use existing state collaboratives and change management processes to address, among other issues: developing a single-order process for competing carriers to add xDSL service to UNE-platform voice customers”⁵

More recently the FCC held in the *Massachusetts 271 Order* that its *Line Sharing Reconsideration Order* “does not require” an incumbent LEC “to have implemented

⁴ Reply Affidavit of Michael D. Silver on behalf of Ameritech Michigan, filed July 30, 2001 in MPSC Case No. U-12320

⁵ Line Sharing Reconsideration Order at par 21

an electronic OSS functionality to permit line splitting.”⁶ And, likewise, there is certainly no requirement that the incumbent provide an electronic ordering process that uses a single local service order rather than three related orders in the context of line splitting.

5. While Ameritech is not opposed to developing a single-local service request (“LSR”) order process as referred to by the FCC, the FCC’s statement cannot be translated as an instant and direct requirement to have such an LSR process in place. As the FCC has encouraged, SBC has engaged in industry collaboratives with AT&T and other CLECs regarding line splitting, including a single LSR process. In fact, where market conditions have justified the need, SBC has agreed to deploy such a process. Likewise, the CLEC Handbook in Michigan advises in the Line Splitting section: “There will be an effort underway to allow CLECs to issue 1 LSR to disaggregate an existing UNE-P at such time that there is market demand for same.” However, at this time, there has been no evidence (beyond the theoretical) of any current demand from carriers in Michigan that would support the creation of this type of process, and the work effort it would entail, nor indeed any evidence of any orders for the types of transactions involved that could not be handled using existing ordering processes. Such a work effort would require the use of resources already dedicated to converting the billing of UNEs to the CABS billing system, as well as the many other commitments in the OSS Plans of Record originating from the SBC/Ameritech merger.

⁶ In the Matter of Verizon New England Inc for Authorization to provided In-Region InterLATA Services in Massachusetts, CC Docket No. 01-9 (FCC 01-130, Released April 16, 2001), ¶ 173

6. Mr. Finney also contends that Ameritech's failure to implement the one-order process "introduces unacceptable levels of service disruption and delay"⁷. Mr. Finney's claim is unsupported because the LSR process is simply a means for the CLEC to place an order with Ameritech. The multi-order vs. one-order process has no bearing on the actual network provisioning that needs to take place and, therefore, has no impact on service disruptions or delays, assuming the CLEC populates the LSR correctly. As to any suggestion of "burdensome" ordering requirements, these are relatively complex orders; there is more involved than simply ordering an unbundled loop or switch port. Regardless of unsubstantiated allegations regarding the onerousness of the ordering process, it must be kept in mind that Ameritech Michigan has committed to, compelled by the MPSC rulings, carrying out the provisioning process required to fulfill the type of orders covered by the line splitting scenarios included in the Line Splitting Scenario package sent out by Kelly Fennell of Ameritech on June 25, 2001, and will, as requested by the FCC, support continued improvements to the ordering process.

Information Regarding Line Splitting Scenarios

7. In the Second Finney affidavit, Mr. Finney complains that Ameritech has failed to provide information relative to the order processes and charges related to various Line Splitting scenarios, and in particular, the scenario where a CLEC converts a UNE-P to a Line Splitting arrangement. Mr. Finney contends he did not receive any supporting information from Ameritech on a timely basis, stating "Only this week did carriers learn some of the details concerning the processes involved and the rates that will be charged". While possible, though highly unlikely, that Mr. Finney did not

⁷ Second Finney affidavit, paragraph 9.

receive the information until the week of July 24 (the date of his Second affidavit), AT&T, as well as all other CLECs participating in the Michigan Collaborative, received this information in a June 25 package sent from Ameritech's Kelly Fennell ("line-splitting scenario package"). This package was included in my Reply affidavit as Silver Reply Affidavit Attachments A and B.

8. In paragraphs 7 and 8 of the Second Finney affidavit, Mr. Finney questions Ameritech's seeming unwillingness, or inability, to provide AT&T with Ameritech's internal methods and procedures (M&P) for the various line splitting scenarios. Mr. Finney says AT&T needs these M&Ps "to be able to determine the manner in which Line Splitting is proposed to be implemented and gauge whether that is practicable and workable, again from an operational standpoint."
9. In the first place, Ameritech provides documentation that the CLECs need to successfully submit their orders. This is the extent of the documentation that CLECs require. Just as CLECs do not provide Ameritech with copies of their internal processes, neither does Ameritech provide CLECs with copies of its internal M&Ps.
10. Furthermore, Ameritech is unclear as to why AT&T feels they are "in the dark about how Ameritech will provision these scenarios in actual practice." (Finney Second Affidavit at par 7). Line splitting, unlike line sharing, does not involve any new network elements, or any element that Ameritech does not already provide. There is a substantial amount of documentation already provided to CLECs about these individual UNEs and how to order them. The only difference in the provisioning processes involved with line splitting occurs when an existing voice service (i.e., loop-port combination) must be re-configured into the separate UNEs necessary to

enable the CLEC to perform line splitting. Ameritech has committed to reusing existing loop facilities where possible (using the same guidelines as for line sharing), and to processing the properly related orders in a manner that limits the disruption of service to the end user. After the line splitting arrangement has been established, using separate loop and port UNEs, normal maintenance procedures apply to those UNEs.

11. In his recommendation in the Second Finney affidavit, Mr. Finney says, among other things, that no one knows Ameritech's process for billing line splitting. Line splitting is not a service provided by Ameritech. When a CLEC requests an existing UNE-P to be separated so that it can engage in line splitting, Ameritech provides the CLEC with the requested individual UNEs so the CLEC (or CLECs) can interpose its splitter device between the UNE loop and the UNE switch port. This arrangement allows the CLEC providing voice to use the UNE loop for voice and the CLEC providing data (which may be the same CLEC or a partnering data CLEC) to connect to its DSLAM via the splitter. In essence, the CLECs use their own splitter to split the loop for each of their uses. Ameritech bills the customer of record for the xDSL-capable loop and the switch port. After these orders are provisioned, Ameritech has nothing to do with the line splitting that takes place over that unbundled loop. Indeed, as Mr. Welch points out, any number of non-typical arrangements may occur that are wholly beyond Ameritech's knowledge or control. Since Ameritech does not provide the splitter in a line splitting arrangement, there are no splitter billing issues, because there is no splitter billing. It appears that Mr. Finney is attempting to create issues, where none exists.

Ameritech has already provided details identifying the types of orders required, and the applicable charges, for the various line splitting scenarios in the “line splitting scenario package”. Additionally, Ameritech has posted some sample LSRs on its CLEC OnLine website for some of the scenarios covered. However, due to the number of situations that may be encountered with the various scenarios, and any potential permutations of same, it is a better use of resources to focus on those specific situations that CLECs would most use and not to direct resources to create standardized processes to address situations that may never be encountered at all. Further, there is already documentation available for ordering new UNE-Ps offered via the Mi2A and for ordering individual UNEs. Nonetheless, if an individual CLEC, or the CLEC industry as a whole, is not comfortable that enough information is available to address their line-splitting needs, Ameritech would agree to consult with a CLEC on its particular needs, or to participate in a technical conference with the CLECs, with Staff’s participation and facilitation, to address any outstanding concerns that CLECs believe are not covered by the existing documentation, noting that the latter may be the best use of resources to identify the scenarios most likely to be encountered by CLECs overall.

Non-Recurring Charges

12. On pages 8 through 11 of his affidavit, Mr. Henson finally gets to his point; he thinks the prices AT&T might pay are too high. Mr. Henson questions the non-recurring charges (“NRCs”) shown in the line-splitting scenarios package.⁸ As I have explained in this affidavit, when a CLEC implements line splitting, it is requesting

⁸ Silver Reply Affidavit – Attachment B and Henson Affidavit – Attachment JFH-2 at pp. 4-10.

Ameritech to provision two individual UNEs – an unbundled xDSL compatible loop and an unbundled ULS-ST switch port. These NRCs (service order, connection, and disconnection charges) being questioned by Mr. Henson reflect the NRCs ordered by this Commission in Case No. U-11831 for these individual UNEs. As discussed in the Affidavit of Scott J. Alexander on behalf of Ameritech, filed on May 15, 2001 in support of Ameritech’s Checklist Informational Filing (hereinafter the “Alexander May 15th affidavit”) Ameritech’s NRCs for both unbundled DSL-capable loops and ULS switch ports were based on the U-11831 Orders. These rates reflect the modifications made by the MPSC in its November 16, 1999 and August 31, 2000 Orders to the cost studies originally submitted by Ameritech in that proceeding. When a CLEC requests the conversion of UNE-P to Line Splitting, Ameritech must perform the central office work to deliver the unbundled xDSL loop to the CLECs collocated splitter and the work to deliver the unbundled ULS-ST switch port to the CLEC’s collocated splitter. No CLEC has raised any issue in this proceeding that would indicate that it is not appropriate to apply the MPSC-approved rates to the xDSL loop and ULS-ST switch port UNEs provided to a CLEC, when those UNEs are provided as separate network elements. Such is the case when a CLEC requests the conversion of UNE-P to Line Splitting. Thus, as the MPSC has already approved TELRIC-based rates for providing the xDSL loop and ULS-ST switch port UNEs, it is appropriate that Ameritech should apply those rates when the CLEC requests that Ameritech provision an xDSL loop and ULS-ST switch port to be used for Line Splitting.

13. In other scenarios, it may not be necessary for Ameritech to perform any additional network work to facilitate line splitting. This includes Scenario 2a, line sharing to line splitting, with no change in the splitter and Scenario 4a, line splitting to UNE-P, where the CLEC combines. In both of these situations Ameritech undertakes no new additional network related work as a result of line splitting and consequently does not impose any NRCs in the latter case and only service order NRCs in the former case.

Conclusion

14. This supplemental reply affidavit has refuted claims made by AT&T affiants Mr. Henson and Mr. Finney that Ameritech practices are contrary to either MPSC or FCC rulings.