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99 JUN 28 PM 4:33

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RECORDS AND
REPORTING

June 28, 1999

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 981834-TP (FCCA Petition/UNEs)

Dear Ms. Bayó:

Enclosed please find the original and fifteen copies of BellSouth Telecommunications, Inc.'s Response to Supplement to Motion for Independent Third Party Testing of BellSouth Telecommunications, Inc.'s Operational Support Systems, which we ask that you file in the above-referenced matter.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

FILED
BUREAU OF RECORDS

Sincerely,

Michael P. Goggin (tr)
Michael P. Goggin

APA _____
APP _____
DAS _____
GAG *Simon* _____
GIR _____
BAG _____
LIR 3 _____
MIR _____
DPC _____
RDR _____
MEL 1 _____
WLN _____
CTA _____

cc: All Parties of Record
Marshall M. Criser III
William J. Ellenberg II

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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE
Docket No. 981834-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U. S. Mail this 28th day of June, 1999 to the following:

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ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Competitive)
Carriers for Commission Action)
To Support Local Competition)
In BellSouth's Service Territory)
_____)

Docket No. 981834-TP

Filed: June 28, 1999

**RESPONSE OF BELL SOUTH TELECOMMUNICATIONS, INC. TO
SUPPLEMENT TO MOTION FOR INDEPENDENT THIRD PARTY TESTING
OF BELL SOUTH'S OPERATIONAL SUPPORT SYSTEMS ("OSS")**

BellSouth Telecommunications, Inc. ("BellSouth") hereby responds to the supplement filed by AT&T of the Southern States, Inc. ("AT&T") and the Florida Competitive Carriers Association ("FCCA") to their motion for independent third party testing of BellSouth's operational support systems ("OSS"). The AT&T/FCCA "Supplement" consists of a filing made by AT&T in Georgia as a supplement to its motion asking the Georgia Public Service Commission to reconsider its order approving such testing. ("AT&T Brief"). This apparent contradiction, supporting a motion filed in Florida purportedly in favor of third party testing of OSS by filing a brief designed to stop third party testing in Georgia, says much about what AT&T and the FCCA hope to accomplish in Florida. Although its rhetoric is about working to resolve the OSS debate, the AT&T/FCCA motion is a stalling maneuver that would do Dean Smith proud. Rather than quickly attack the dispute over OSS with an eye toward resolving it, the AT&T/FCCA plan is intended to work like the Tarheels' four corners offense, moving the ball around, running the clock, but never attacking the basket.

BellSouth supports effective third party testing as a way to test any alleged deficiencies in its OSS. In its response to the AT&T/FCCA motion, BellSouth

suggested that the Commission build on the information it has already gained about BellSouth's OSS through its audit and various other proceedings, and then monitor the testing now being conducted in Georgia. After the testing in Georgia is completed in August, the Commission will be in a better position to judge whether any additional testing is needed in Florida to fill in any gaps that might remain in the Commission's knowledge.

AT&T, however, suggests that the testing now being conducted by the Georgia Public Service Commission is flawed. Many of its criticisms are contradictory and all of them miss the mark. For example, AT&T claims that the testing in Georgia will not be independent because the testers, KPMG and Hewlett Packard, have been "hired by" BellSouth. AT&T Brief at 4. AT&T is quick to assume that these companies will fail to be objective when conducting tests on behalf of the Georgia Commission, yet AT&T, elsewhere in its brief praises the work the same firms did on behalf of regulators in New York. Id. at 3. Moreover, AT&T's insinuation that having BellSouth foot the bill for testing will influence the testers ignores the fact that Bell Atlantic picked up the tab in New York, and is inconsistent with AT&T's and FCCA's insistence in their motion that BellSouth pay for any third party testing in Florida.¹ AT&T cannot have it both ways.

¹ Presumably, AT&T would not question the objectivity of the accountants who provide an independent audit of its financial statements, although they undoubtedly are selected by, paid by and report to AT&T.

Similarly, AT&T complains that the Georgia test does not test parity, because it only considers the manner in which CLECs would use BellSouth's OSS, not the manner in which BellSouth's retail personnel use BellSouth's OSS. AT&T Brief at 1, 3. AT&T misunderstands Georgia's purpose. Like this Commission, Georgia's Commission already gathers extensive information about the ability of BellSouth's retail personnel to meet performance targets. Third party testing is intended to resolve disputes over CLECs' use of BellSouth OSS. The Georgia Commission, using the test results, will then be in a position to judge whether CLECs have comparable access.

AT&T also complains that the testing in Georgia will be deficient because it will not cover all of the UNEs BellSouth offers. AT&T Brief at 2. Again, AT&T misunderstands the purpose of third party testing. The idea is not to test the products, it is to test the processes. It is not necessary that the test cover each and every product BellSouth offers to find out if the OSS works.

In short, AT&T's objections to the testing approved in Georgia show that it does not intend to focus on resolving the OSS issue. Instead, AT&T's strategy is to stall, by attempting to inject additional issues into the dispute whenever possible. It should be noted that the Georgia Commission, after considering the many objections raised by AT&T in this Supplement, approved the plan for third party testing of BellSouth's OSS by a 5-0 vote on June 15, 1999.²

AT&T's motion and BellSouth's response present the Commission with a stark choice. It can follow the AT&T plan, and prolong and extend the OSS

² BellSouth will provide a copy of any written order that may be issued by the Georgia Public Service Commission with respect to this decision if and when such a written order is issued.

dispute, or it can move forward along the lines BellSouth and the Georgia Public Service Commission suggest, diagnosing any problem areas in BellSouth's OSS and quickly resolving them.

Respectfully submitted this 28th day of June, 1999.

BELLSOUTH TELECOMMUNICATIONS, INC.

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