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

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

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

STATE OF TEXAS)
)
COUNTY OF DALLAS)

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OPERATOR SERVICES/DIRECTORY ASSISTANCE/
DIRECTORY ASSISTANCE LISTINGS
AFFIDAVIT**

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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:

PROFESSIONAL EXPERIENCE AND EDUCATIONAL BACKGROUND

1. My name is Jan D. Rogers. I am Director – Operator Services – Regulatory. My business address is One Bell Plaza, Room 3445, Dallas, Texas 75202. In this position, I am responsible for representing Ameritech Ohio’s Operator Services organization before regulatory bodies and other external stakeholders. I also assist these organizations in meeting all legal and regulatory requirements relating to Operator and Directory Assistance Services provided by Ameritech Ohio.
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 the Company, and other industry organizations on various management subjects. I began my career with Southwestern Bell 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, Competitive Local Exchange Carrier (“CLEC”) education, and Operator Services interconnection agreement language and negotiation support in Southwestern Bell’s Local Interconnection and Resale organization. I began my current assignment as Director-Regulatory for SBC’s Operator Services staff in June 1999.

EXECUTIVE SUMMARY

3. The purpose of my affidavit is to demonstrate that the Ohio Bell Telephone Company d/b/a Ameritech Ohio¹ (“Ameritech”) meets its obligations under Section 251 and checklist item vii (II) and (III) of the Telecommunications Act of 1996 (“the Act”). As demonstrated in this affidavit, Ameritech satisfies those requirements by providing non-discriminatory access to the following:

- Operator Services (“OS”), including adjunct Operator Call Completion Services;²
- Directory Assistance (“DA”) Services,³ including DA Call Completion (“DACC”);
- Directory Assistance Listings (“DAL”) downloads in bulk format with daily updates,⁴
- Direct Access to the DA database.⁵

BACKGROUND AND CHECKLIST REQUIREMENTS

4. Section 271(c)(2)(B)(vii) of the Telecommunications Act requires a 271 applicant to provide or offer to provide "nondiscriminatory access to ... (II) directory assistance services to allow the other carrier's customers to obtain telephone numbers; and, (III) operator call completion services."⁶ The FCC has held that the phrase “nondiscriminatory access to directory assistance and directory listings” means that “the customers of all telecommunications service providers 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

¹ Ohio Bell Telephone Company, an Ohio corporation, is 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. Ohio Bell offers telecommunications services and operates under the names “Ameritech” and “Ameritech Ohio” pursuant to trade name registrations with the State of Ohio.

² See Appendix OS and Section 4.10 of Appendix Resale in the Bullseye interconnection agreement (“Bullseye ICA”).

³ See Appendix DA and Section 4.6 of Appendix Resale in the Bullseye ICA.

⁴ See Appendix DAL in the Bullseye ICA.

⁵ See Appendix Direct in the Bullseye ICA.

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requesting customer's local telephone service provider; or (2) the identity of the telephone service provider for a customer whose directory listing is requested." 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."⁷

5. To comply with the statutory nondiscrimination requirement, the 271 applicant must demonstrate that competing providers have access to operator and directory assistance services that is equal in quality to the access the applicant receives itself. The 271 applicant must also demonstrate that it provides, or is willing to provide, directory assistance listings to competing providers in readily accessible magnetic tapes or electronic formats and to permit competing providers to have access and read the information in the local exchange carrier's ("LEC's") directory assistance database.⁸ Where technically feasible, the 271 applicant must also demonstrate that it makes OS and DA branding available to competing carriers.⁹
6. In demonstrating that Ameritech complies with the nondiscriminatory requirements of checklist item (vii), this affidavit shows that competing carriers may provide operator services and directory assistance for their subscribers by either (a) purchasing Ameritech's services on a wholesale basis, (b) by using their own personnel and facilities, or (c) by routing their subscribers' OS/DA calls to a third-party provider.
7. This affidavit also demonstrates that competing providers purchasing Ameritech's OS/DA services on a wholesale basis have access to Ameritech's operator and directory assistance

⁶ 47 U.S.C. §§ 271(c)(2)(B)(vii)(II), (III).

⁷ Local Competition Second Report and Order, 11 FCC Rcd. at 19449, ¶ 112; 47 C.F.R. Section 51.217(c)(2).

⁸ 47 C.F.R. § 51.217(c)(3)(ii).

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services that is equal to Ameritech's access. Additionally, as shown below, CLECs who wish to purchase Ameritech's operator and directory assistance services on a wholesale basis may request Ameritech to brand OS/DA in the CLECs' names.¹⁰

8. Ameritech's pricing of OS/DA services is in compliance with the FCC's UNE Remand Order, which became effective February 17, 2000. In that order, the FCC found that where incumbent LECs provide customized routing or a compatible signaling protocol, they need not provide access to OS/DA as unbundled network elements.¹¹
9. As discussed in the Affidavit of William C. Deere, customized routing is available to CLECs throughout Ameritech's region, and is included in the UNE attachments to various interconnection agreements.¹² CLECs who are providing local exchange service via resold telecommunications or unbundled local switching, thus, can route their subscribers' OS and/or DA calls from Ameritech's end office to their own operator platform to the operator platform of a third-party OS/DA provider.
10. Competing carriers that wish to provide directory assistance using their own facilities and personnel may obtain Ameritech's directory assistance listings either:
 - on a "per query" basis directly to Ameritech's directory assistance database, or

⁹ 47 C.F.R. § 51.217(d).

¹⁰ 47 C.F.R. § 51.217(d); Local Competition Second Report and Order, 11 FCC Rcd at 19463, ¶ 148. For example, when customers call the operator or call 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 carrier's name.

¹¹ Third Report and Order and Fourth Further Notice of Proposed Rulemaking, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, 15 FCC Rcd 3696, 3891-92, ¶¶ 441-442 (1999) ("UNE Remand Order"). Ameritech's position is that it provides custom routing using the same signaling protocol that it uses itself to route OS and DA calls from its end offices to its operator platforms.

¹² §14.1.8, Appendix Merger Conditions and §8.3.1, Appendix UNE of the Bullseye ICA.

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- in a bulk download, with daily updates, to incorporate Ameritech's DA listings ("DAL") into the CLEC's own directory assistance database.¹³

11. Ameritech offers its DAL on a nondiscriminatory basis consistent with the FCC's UNE Remand Order, making such listings available on a nondiscriminatory basis.¹⁴ The terms and conditions under which Ameritech makes its DAL available are contained in the Appendix DAL, including the Appendix DAL to the Ameritech generic interconnection agreement ("GIA").

AVAILABILITY OF OPERATOR SERVICES AND DIRECTORY ASSISTANCE

12. CLECs who provide local exchange telephone service through their own end office switch, and/or through Ameritech's end office switch via resale or unbundled local switching, have several options in selecting a provider of OS and DA services for their subscribers. The following briefly outlines the OS and DA service options that Ameritech, as one wholesale provider, makes available to CLECs on a nondiscriminatory basis for their subscribers.

13. CLEC subscribers' OS and DA calls, when local exchange service is provided via Ameritech's resold telecommunications service or unbundled local switching, are routed from Ameritech's end offices to Ameritech's operator platforms over the same trunks and in the same manner and timeframe as Ameritech's subscribers' calls. Calling patterns are the same for these CLEC subscribers as for Ameritech subscribers.

14. **Resale Services OS/DA** – Ameritech provides CLECs' subscribers access to Ameritech's OS and/or DA services ("OS/DA") on the same basis as Ameritech's retail subscribers as part of

¹³ 47 C.F.R. § 51.217(C)(3)(ii); Local Competition Second Report and Order, 11 FCC Rcd at 19460-61, ¶¶ 141-44.

¹⁴ Second Report and Order and Memorandum Opinion and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Interconnection Between Local Exchange Carriers and Mobile Radio Services Providers, 11 FCC Rcd 19392, 19567-19580 (Appendix B) (1996) ("Second Report and Order").

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Ameritech's resold local telecommunications services.¹⁵ 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"¹⁶ its subscriber OS/DA calls to itself or a third party provider it designates. 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. Attachment A to this affidavit lists the 14 resale CLECs that have implemented Ameritech's wholesale OS and DA services through June 2001.

15. **Providers using unbundled local switching** – CLECs utilizing Ameritech's unbundled local switching can choose Ameritech to provide OS/DA services to their subscribers. CLECs may also choose to "custom route" their subscribers' OS/DA calls to itself or a third party OS/DA provider. When a CLEC utilizing unbundled local switching chooses Ameritech as its wholesale provider of OS and DA services, Ameritech bills the CLEC the contract rate for each OS or DA call or adjunct wholesale service handled by Ameritech.¹⁷
16. 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 sale Billing System (RSB).

¹⁵ See Sections 4.6 and 4.10 of Appendix Resale in the Bullseye ICA.

¹⁶ Each CLEC has the option to "custom route" OS or DA calls to a platform designated by a CLEC (thus OS/DA services and DA listings are no longer to be unbundled network elements). When a CLEC using Ameritech's resold telecommunications services or unbundled local switching orders customized routing in an end office, the CLEC must decide to which OS/DA provider it wants to route its subscribers' OS/DA calls. If a CLEC elects to custom route its subscribers' OS/DA calls to itself or a third party provider, then all respective calls from the CLEC's subscribers in that end office generally are routed to that provider. However, if the CLEC wishes Ameritech to handle a specific portion of its OS/DA traffic (i.e. 411, but not 555-1212 local DA calls), Ameritech will negotiate appropriate contract provisions.

¹⁷ See Appendices OS, DA and Pricing of the Bullseye ICA.

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17. Consistent with the FCC's UNE Remand Order and Ohio Case No. 00-1188, TP-ARB,¹⁸ OS and DA services are made available at market-based prices. Of course, Ameritech continues to honor the terms, conditions and prices of current, effective Ohio interconnection agreements.

18. **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 loops may choose to route its subscribers' OS/DA calls to Ameritech's platform, to itself, or to a third-party OS/DA provider. Ameritech will negotiate contracts for the provision of either OS or DA services or both, according to the needs of the CLEC. Switch-based CLECs connect to Ameritech's operator switch via direct trunking and are billed their contracted rate:

- on an operator work-second basis for operator-assisted calls, and
- on a completed-call basis for fully automated calls.

19. 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.

20. Ameritech provides switch-based CLECs with nondiscriminatory 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 end-user can access Ameritech's OS and DA services by dialing 411, home NPA-555-1212 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. Separate appendices to Ameritech's interconnection agreements

¹⁸ Regarding issue 14 in the Ameritech/AT&T arbitration, the arbitration panel rendered the decision on March 19, 2001 that "there is no reason that Ameritech should be required to offer OS/DA as a UNE" and ordered the parties to develop contract language to comply with this recommendation.

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allow facilities-based CLECs to choose Ameritech as their provider of OS and/or DA services.¹⁹ A CLEC can purchase either service or both on a wholesale basis from Ameritech.

21. 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. This one-year period enables Ameritech to forecast its OS and DA call volumes to enable Ameritech to 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. 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.

Directory Assistance Services

22. The DA services provided by Ameritech to requesting CLECs' subscribers in Ohio are identical to the services provided to Ameritech's subscribers and include:

- Directory Assistance, as in Ameritech's retail operations, provides subscriber listing information name, address and published telephone number (or an indication of "non-published" status) to CLECs' subscribers that dial 411 or home NPA 555-1212.

Ameritech's National Directory Assistance Service for non-local listings also is provided to CLECs' subscribers.²⁰ Ameritech will negotiate to handle less than all of a CLEC's

¹⁹ See Appendices OS and DA of the Bullseye ICA.

²⁰ Ameritech is accessing SBC's information storage facility for this incidental interLATA service as required by § 271(g)(4) of the Act.

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OS and/or DA traffic (411 DA calls but not 555-1212 local DA calls, for example), at the request of the CLEC;

- Directory Assistance Call Completion, also identical to the retail service, completes a local or intraLATA call to the requested number, on behalf of a CLEC's subscriber, utilizing automated voice system or operator assistance.

23. In addition to the retail DA services (discussed above) that Ameritech offers to CLECs for their subscribers, Ameritech also provides the following wholesale service for both resale and facilities-based CLECs:

- Call Branding is a wholesale service that enables a CLEC to identify itself audibly and distinctly to its subscribers at the beginning of each OS/DA call handled by Ameritech on the CLEC's behalf.²¹ OS and DA calls from switch-based CLECs, like those calls from independent and wireless telephone companies, are delivered to Ameritech's operator switch over separate, dedicated trunks. Therefore Ameritech was able to offer branding of switch-based CLECs' OS and DA calls quickly after passage of the Act. To satisfy the requests of CLECs as well as the branding requirement of FCC rule 47 C.F.R. § 51.217(d) for resellers, Ameritech OS upgraded its operator platform to make branding capability available to any requesting CLEC in Ohio, including facilities-based carriers that use Ameritech's unbundled local switching as well as resellers of Ameritech's telecommunications services.²² This feature allows OS and DA calls from subscribers of different carriers (Ameritech and CLECs), combined on the same trunk from Ameritech's end office to its operator switch, to

²¹ 47 C.F.R. § 51.217(d); see Appendices OS and DA and Appendix Resale in the Bullseye ICA.

²² See Accessible Letter CLECAM00-074, issued August 1, 2000. All accessible letters referenced in this affidavit are available at SBC's website (<https://clec.sbc.com>). 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.

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receive the brand of the subscriber's local exchange carrier. Provisions for branding are included in Ameritech's approved interconnection agreements and Ameritech offers market-based prices for Call Branding service.²³ Attachment A lists the facilities-based providers and resellers in Ohio to whom Ameritech provides OS and DA branding.

Operator Services

24. Wholesale Operator Services furnished by Ameritech to requesting CLECs in Ohio are in compliance with the requirements of the Act and FCC regulations 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)* is a service in which the caller requests that the operator determine whether an access line on Ameritech's network is in use.

²³ See Section 4 of Appendices OS and DA and Appendix Resale in the Bullseye ICA.

Often 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. The operator will access Ameritech’s verification equipment while the calling customer is on “hold.” 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.

- *Busy Line Verification Interrupt (BLVI)* is a service provided if 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. If the operator detects conversation on a busy 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.

➤ *Operator Transfer Service* is a service in which a CLEC's subscriber 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.

25. **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. Ameritech has deployed new technology 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
- CLECs' Time and Cost rate information to end users when the CLEC resells Ameritech's Hotel/Motel service. Ameritech's operators provide to a Hotel/Motel business the time and charges associated with a call placed by a Hotel/Motel guest (allowing the Hotel/Motel to place the charges on their guest's bills).

26. **Inward Operator Service**²⁴ includes Line Status Verification and/or Busy Line Interrupt services (described above). These inward wholesale services are available to telephone operators of CLECs and other independent telephone companies that provide their own operator services via their own switches or custom routing. Other providers' operators can access Ameritech's Inward Operator personnel to check a line on Ameritech's

²⁴ See Appendix Inward of the Bullseye ICA.

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network on behalf of the provider's subscribers. 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 6.1.3.(A)(4) and Ameritech makes it available to any CLEC during negotiation or through amendments to existing interconnection agreements.

DIRECT ACCESS TO DA DATABASE OR PROVISION OF DA LISTINGS IN BULK

27. Ameritech has discrete obligations under the Act, FCC rules and current interconnection agreements to provide nondiscriminatory access to:

- DA services,
- directory assistance listing information in bulk downloads, and
- direct access to Ameritech's DA database.²⁵

It is important to understand the distinctions among these terms.

28. First, as described above, Ameritech provides its DA services on behalf of any CLEC upon request and completion of an effective interconnection agreement. As required by FCC Rule §51.217(c)(3)(i), Ameritech provides CLECs nondiscriminatory access to Ameritech's DA services via Appendix DA and Appendix Resale to an interconnection agreement.²⁶ This option may be attractive to a CLEC that chooses not to provide its own DA services, but chooses Ameritech to provide DA services to its subscribers and brand the services as its own.

29. Second, Ameritech provides directory assistance listing information downloads in bulk format with daily updates directly to a CLEC that chooses to provide its own DA services.

²⁵ See Appendix Direct of the Bullseye ICA.

²⁶ See Appendix DA of the Bullseye ICA.

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Consistent with the FCC's rule²⁷ that any telephone customer should be able to access any listed number of any carrier on a nondiscriminatory basis,²⁸ Ameritech offers an agreement whereby the parties exchange DA listing information so that both carriers will have complete and accurate DA listing databases. Appendix DAL of various interconnection agreements²⁹ provides CLECs and their agents with access to the all directory assistance listings in Ameritech's DA database.

30. A requesting CLEC receives Ameritech's DA listing downloads on a statewide, geographic area or class of service basis (business or residence or both) with daily updates. Since Ameritech updates its own DA database daily, CLECs also are offered daily updates that are provided in the same format as the initial transfer of DA listings provided to the CLEC.
31. Ameritech's DA information is defined as customer published name, address and telephone number, or customer name, street name and indication of "non-published status." Ameritech's DAL are provided with the same listing information as Ameritech's operators access to provide DA service. Ameritech's DAL is priced on a per-listing basis.
32. Daily listing updates are provided by Ameritech in compliance with FCC Rule § 51.217 (c)(3)(ii). In addition to current, effective agreements, Appendix DAL in the Generic Interconnection Agreement provides nondiscriminatory access to directory assistance listing

²⁷ 47 C.F.R. §51.217(c)(3)(ii).

²⁸ 47 C.F.R. §51.217(c)(3)(i).

²⁹ See Appendix DAL in the Bullseye ICA. On January 23, 2001, the FCC released an order requiring LECs to make nondiscriminatory access to DAL 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. Ameritech already made DAL available to third party DA providers and, thus, already complied with those terms of the FCC's order. In further compliance with the FCC's order, Ameritech stated it would not enforce contract provisions restricting use of DAL, nor would it seek to impose such restrictions on a going forward basis, subject to reconsideration by the FCC or any appeal of the order. See Accessible Letter CLECAM01-080 which can be found at <<http://sbc.clec.com>>.

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information.³⁰ In compliance with FCC rules,³¹ Ameritech provides all the listings in Ameritech's DA database to such carriers regardless of the subscriber's underlying local exchange carrier.

33. In compliance with the FCC rules, all listings in Ameritech's DA database are offered to carriers regardless of the identity of the subscriber's underlying local exchange provider.

DAL are offered under SBC's 13-state generic interconnection agreement at market-based rates, which are the same as the rates available under contract to interexchange carriers and non-carrier DA providers.

34. 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. Appendix Direct satisfies the requirement of FCC Rule § 51.217 (c)(3)(ii) by making "read only" access to the information in Ameritech's DA database available to CLECs on a query-by-query basis.³² Direct Access connections are on an individual case basis and would be implemented upon completion of an effective agreement. Upon receipt of an order from a CLEC for Direct Access, Ameritech will work with the CLEC to activate this service, based on the CLEC's specifications. 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

³⁰ 47 C.F.R. §51.217(c)(3)(ii).

³¹ See Appendix DAL in the Bullseye ICA. On January 23, 2001, the FCC released an order requiring LECs to make nondiscriminatory access to DAL 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. Ameritech already made DAL available to third party DA providers and, thus, already complied with those terms of the FCC's order. In further compliance with the FCC's order, Ameritech stated it would not enforce contract provisions restricting use of DAL, nor would it seek to impose such restrictions on a going forward basis, subject to reconsideration by the FCC or any appeal of the order. See Accessible Letter CLECAM01-080 which can be found at <<http://sbc.clec.com>>.

³² See Appendix Direct in the Level 3 ICA.

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Access to Ameritech's DA database, the option is generally available from host switches via a CLEC Nortel DMS200 TOPS Host Switch, a LUCENT 5ESS OSPS switch, or any other Operator assistance switch type with Call Processing Data Link ("CPDL").

35. Thus, Ameritech makes DA services, DA listings, and direct access to Ameritech's DA database available to CLECs on a nondiscriminatory basis. Additional information about Ameritech's wholesale OS and DA services are included in the Products & Services section of the CLEC Handbook website (<https://clec.sbc.com>) under 911/OS/DA/Directory Listing.

PERFORMANCE MEASUREMENTS FOR OS AND DA SERVICES

36. Ameritech provides CLEC subscribers nondiscriminatory access to OS and DA services through the same dialing arrangements Ameritech uses for its own customers.³³ As a result, there is no unreasonable dialing delay, as required by §251(b)(3) and the FCC's rules issued in CC Docket 96-98.³⁴ Ameritech ensures nondiscriminatory access to OS and DA by processing all calls in the order they are received from all end-users accessing OS or DA (*i.e.*, first in, first served).³⁵ 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. 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 –

³³ 47 C.F.R. § 51.217(c)(2).

³⁴ Local Competition, Second Report and Order.

³⁵ 47 C.F.R. § 51.217(a)(2).

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handling every call as first in, first served – subscribers of other carriers inherently receive exactly the same answer performance that Ameritech subscribers receive.

46. Performance Measurements for OS and DA include the following and are described in more detail in the affidavit of Salvatore Fioretti.

- 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

37. Ameritech provides nondiscriminatory access to OS and DA services and its DA listings pursuant to § 251(b)(3) and 271 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. In the event a CLEC chooses to provide its own DA services, Ameritech negotiates a mutual licensing agreement for exchange of DA listings. Ameritech also provides direct access to its DA database. On a wholesale 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. Ameritech complies with § 251(b)(3) and § 271 (c)(2)(B), item (vii)(II) and (III) of the Act.

38. This concludes my affidavit.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on _____, 2001.

Jan D. Rogers
Director – Operator Services-Regulatory

STATE OF TEXAS

COUNTY OF DALLAS

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

Notary Public