
BellSouth Interconnection Services

675 West Peachtree Street
Atlanta, Georgia 30375

**Carrier Notification
SN91085073**

Date: March 24, 2005

To: Competitive Local Exchange Carriers (CLEC)

Subject: CLECs – (Product/Service) – Triennial Review Remand Order (TRRO) – Unbundling Rules - Wire Centers that Satisfy Non-impairment Thresholds

On February 18, 2005, at the request of the Federal Communications Commissions ("FCC or "the Commission"), BellSouth filed with the Commission, a list by Common Language Location Identification ("CLLI") codes of those wire centers that satisfied the non-impairment thresholds for high-capacity loops, transport and dark fiber as adopted by the Commission in its *Triennial Review Remand Order (TRRO)*.¹ Additionally, in Carrier Notification letters: [SN91085045](#), posted on February 18, 2005, [SN91085059](#) and [SN91085065](#), posted on March 11, 2005, BellSouth provided similar information and supporting data as well as responded to numerous questions from CLECs about the methodology BellSouth used to identify these wire centers.

This is to advise that BellSouth recently discovered an error in the mathematical formula that was used to count retail digital access lines on a per 64 kbps-equivalent basis, as required by the Commission's rules. This error impacted only retail business line counts and did not affect the quantity of Unbundled Network Element (UNE) loops, the quantity of which were correctly stated on a per 64 kbps-equivalent basis. However, as a result of this error, retail business lines were overstated, and thus, the wire centers meeting the Commission's non-impairment thresholds were not correctly identified in either BellSouth's February 18, 2005 filing or its Carrier Notification letters: [SN91085045](#), [SN91085059](#) and [SN90185065](#).

BellSouth understands the necessity of correctly implementing the Commission's non-impairment thresholds and recognizes that it is only entitled to unbundling relief in or between those wire centers where the Commission has determined CLECs are not impaired without unbundled access to high-capacity loops, transport and dark fiber. Because of the importance of the Commission's unbundling determinations and because both the Commission and the industry must know with certainty where those wire centers are located, BellSouth has retained an independent third party to review the methodology BellSouth utilized in implementing the non-impairment thresholds set forth in the TRRO and to identify the specific wire centers where those thresholds have been met. Once this independent third-party review is complete, BellSouth will provide the Commission and the industry with the results.

This independent third-party review should not delay implementation of the TRRO in BellSouth's region. Before the Commission's unbundling rules took effect on March 11, 2005, state commissions in Alabama, Georgia and Kentucky had ordered BellSouth to continue accepting new orders for

¹ *Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order on Remand (Feb. 4, 2005) ("Triennial Review Remand Order").

unbundled switching and high-capacity facilities until BellSouth's Interconnection Agreements have been amended. In order to allow its other state commissions to act, BellSouth advised CLECs and state regulators that it would not reject orders for unbundled switching and high-capacity loops, transport and dark fiber until the earlier of: (1) issuance of an order from an appropriate body, either a commission or a court, allowing BellSouth to reject these orders; or (2) April 17, 2005. This independent, third-party review will be completed and the results disseminated before BellSouth rejects, or challenges through dispute resolution, any orders for new unbundled high-capacity loops, transport and dark fiber pursuant to the TRRO.

BellSouth sincerely regrets this error and apologizes for any inconvenience that it has caused. Please contact your BellSouth contract negotiator with any questions.

Sincerely,

ORIGINAL SIGNED BY JERRY HENDRIX

Jerry Hendrix – Assistant Vice President
BellSouth Interconnection Services