

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Paula Brown

Title: Vice President – Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-2 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Does BA-MA plan to submit evidence in this proceeding that its entry accords with the “public interest, convenience and necessity” under Section 271(d)(3)(C) of the Act beyond the materials submitted in the Budd letter, the May 24, 1999 Affidavit of Paula L. Brown, Bell Atlantic Vice President – Regulatory (“Brown Aff.”), and parts of several other affidavits claiming that the Massachusetts local telecommunications market is “irreversibly open to competition.”¹ If so, when will such materials be submitted.

REPLY: No. Section 271(d)(2)(B) of the Telecommunications Act of 1996 requires that the FCC consult with the Department in order to verify the compliance of BA-MA with the requirements of subsection (c) of Section 271 of the Act. Subsection (c) of the

¹ The United States Department of Justice has determined that the public interest inquiry should include factual evidence that “the local markets in the relevant state are fully and irreversibly open to the various types of competition contemplated by the 1996 Act – the construction of new networks, the use of unbundled network elements of the BOC’s network, and the resale of the BOC’s services.” Evaluation of the U.S. Department of Justice, SBC Communications-OK Section 271 Application, CC Docket 97-121 (May 16, 1997), pp. 41-42. Bell Atlantic has therefore introduced evidence on this public interest issue which should be subject to question during this proceeding. The National Association of Regulatory Commissioners’s “Section 271 Template” (1998) recommends that RBOCs—as Bell Atlantic has done-- submit evidence on their compliance with the Section 271(d)(3)(C) public interest test as part of the state level Section 271 review.

REPLY: DTE-NECTA 1-2
(cont'd)

Act requires BA-MA to enter into one or more binding agreements that have been approved under Section 252 specifying the terms and conditions under which BA-MA is providing access and interconnection to its network facilities for the network facilities of one or more unaffiliated competing providers of telephone exchange service to residential and business subscribers. Subsection (c) further requires that such access and interconnection meet the requirements of the Competitive Checklist. The Act's requirement that the FCC find that BA-MA's requested authorization to provide InterLATA services is consistent with the public interest, convenience and necessity is contained in subsection (d)(3)(C) of the Act.

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Respondent: Paula Brown

Title: Vice President – Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-3 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Budd letter and Brown Aff. passim. Has Bell Atlantic (or corporate predecessors) filed affidavits or pre-filed testimony in New England states other than Massachusetts seeking to demonstrate that its interLATA entry would accord with the “public interest, convenience and necessity” under Section 271(d)(3)(C) of the Act? If so, please provide copies of such affidavits or testimony.

REPLY: BA-MA objects to this request on the grounds that it seeks information that is not relevant to BA-MA’s compliance with the Act’s Competitive Checklist. Without waiving its objection, BA-MA responds as follows.

Bell Atlantic has not filed any such documents in other New England states.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Paula Brown

Title: Vice President - Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-6 **MODIFIED.** [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Brown Aff., para. 6. Please list separately, based on the most recent current data available, the number of Bell Atlantic- Massachusetts business and residential customers that have switched to a local service competitor. For each class of customers (business and residential) also list how many customers continue to receive local exchange service from Bell Atlantic-Massachusetts.

REPLY: Please see BA-MA's replies to DTE-MCIW 2-2(B), DTE-MCIW 2-2(C), DTE-Sprint 1-4, and DTE-Sprint 1-5.

NET # 362

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Paula Brown

Title: Vice President – Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-7 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Brown Aff., para. 11 regarding BA-MA's full compliance with provisions of the Act. Please describe the interLATA affiliate that BA-MA will implement in Massachusetts and discuss the safeguards that will be put in place to ensure that competitors will not suffer adverse discrimination or other improper competitive harm.

REPLY: BA-MA objects to this request on the ground that it seeks information that is not relevant to BA-MA's compliance with the Act's Competitive Checklist. Without waiving its objection, BA-MA answers as follows:

Once BA-MA receives authority to provide in-region interLATA services originating in Massachusetts, these services will be provided through separate affiliates that comply with Section 272 of the Telecommunications Act of 1996 and the associated FCC regulations. At present, Bell Atlantic ("BA") has two Section 272 affiliates, Bell Atlantic Communications, Inc. ("BACI") and NYNEX Long Distance Company ("NLD"). These are the two affiliates that BA expects to provide interLATA services originating in Massachusetts. A third Section 272 affiliate, Bell Atlantic Global Networks, Inc. ("BAGNI"), will construct and operate a long distance network that will be used by BACI and NLD to provide interLATA services originating in Massachusetts.

BA-MA's compliance with the Section 272 rules will be reviewed by the FCC during its 271 application review process.

REPLY: DTE-NECTA 1-7
(cont'd)

In accordance with the Act, the FCC's review of the application must include a written determination approving or denying BA-MA's request to provide in-region interLATA services, and under the terms of the Act [271(d)(3)(B)] the FCC may not approve the application unless it finds "the requested authorization will be carried out in accordance with the requirements of section 272."

BA-MA and its Section 272 affiliates comply with each of the Section 272 requirements. The Section 272 affiliates operate independently from BA-MA and its local operating company affiliates, maintain separate books, records and accounts, have separate officers, directors and employees from BA-MA and its local operating company affiliates, may not obtain credit under any arrangement that would permit recourse to the assets of BA-MA or its local operating company affiliates, and all transactions between BA-MA (and its local operating company affiliates) and the Section 272 affiliates will be conducted on an arm's length basis, reduced to writing, and available for public inspection as required. BA-MA and its local operating company affiliates and the Section 272 affiliates comply with each of the nondiscrimination and other requirements and account for any transactions with the FCC's cost allocation and affiliate transaction rules.

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Paula Brown

Title: Vice President – Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-8 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Brown Aff., para. 12. Does Bell Atlantic currently allow competing local exchange carriers engaged in interconnection negotiations to “pick and choose” provisions out of any of the 42 agreements with facilities-based carriers as provided in Section 252(i) of the Act as construed by the Federal Communications Commission and as upheld by the United States Supreme Court. If not, please state the basis for this position.

REPLY: BA-MA complies with the “pick and choose” provisions of Section 251(i) of the Act as construed by the FCC.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Paula Brown

Title: Vice President – Regulatory

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-9 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Brown Aff., para. 12. Does Bell Atlantic or BA-MA have any written procedures or policies that would encourage CLECs to enter into multi-state or regional interconnection agreements, modified to address state-specific concerns (such as a policy of allowing a carrier who secures a negotiated or arbitrated agreement with BA in one state to use that agreement as the starting point or template in Massachusetts)? If so, please provide supporting documents.

REPLY: BA-MA objects to this request on the grounds that it seeks information that is not relevant to BA-MA's compliance with the Act's Competitive Checklist. Without waiving its objection, BA-MA responds as follows.

Bell Atlantic does not have written procedures or policies that would necessarily encourage CLECs to enter into multi-state or regional interconnection agreements. Nevertheless, it is Bell Atlantic's policy to identify with CLECs opportunities for multi-state or regional negotiations and, to the extent feasible, to incorporate common terms and conditions in specific state agreements.

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Amy Stern
Title: Director-Telecom Industry Services

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-10 Reference Brown Aff., para. 22. Please describe the changes (if any) Bell Atlantic will make to its filing in response to the FCC ruling announced on September 15, 1999, regarding required unbundled network elements.

REPLY: BA-MA is awaiting an opportunity to review the final written FCC Order to determine what actions BA-MA will take in response to the FCC Order.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Donald Albert

Title: Director

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-11 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Howard Aff, para. 22. Please list the BA-MA end offices that are not interconnected with CLECs.

REPLY: There are currently fourteen BA-MA end offices that do not have direct CLEC end office trunking. This represents less than 10% of BA-MA's end offices. The list of individual offices is included in Attachment A

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Attachment A
DTE-NECTA 1-11
NET # 367

The fourteen BA-MA end offices that do not have direct CLEC end office trunking are:

Ashby
Assonet
Athol
Dighton
Harvard
Kingston
Lee
Longmeadow
Shirley
Springfield
Tyngsboro
Vineyard Haven
Ware
West Boylston

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Donald Albert

Title: Director

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-13 Reference Howard Aff., para. 27. Please provide documents supporting the assertion that “[o]nce calls reach the BA-MA network, however, they receive the same level of service as calls that originate on the BA-MA network.”

REPLY: Mr. Howard documents this point at paragraph 26 of his affidavit. Since both BA-MA’s local traffic and CLECs’ local traffic are carried from the access tandem on the same final common trunk groups, call blocking occurrences for BA-MA and the CLECs are the same. Therefore, as it relates to trunk blocking, once calls reach the BA-MA network (at the access tandem) they receive the same level of service as calls that originate on the BA-MA network.

NET# 369

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: John Howard

Title: Director

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-14 Reference Howard Aff., para. 81. Please provide an update on any refinements to LNP procedures and coordination activities with CLECs since the filing of Mr. Howard's testimony.

REPLY: See BA-MA's response to DTE-ATT 1-76.

NET# 370

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Amy Stern
Title: Director-Telecom Industry Services

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-16 Reference May 24, 1999 Affidavit of Amy Stern, Bell Atlantic Director – Telecom Industry Services (“Stern Aff.”), paras. 12, 30. Please provide an update on any new prices, arrangements, practices or procedures developed by Bell Atlantic to implement the FCC’s 706 Order since the filing of Ms. Stern’s testimony. Please also provide an update with respect to any new prices, arrangements, practices or procedures developed by Bell Atlantic to implement the recent DTE collocation decision in D.T.E. docket 98-58.

REPLY: On May 28, 1999, BA-MA filed Part E, Sections 9 & 10 as part of the pending D.T.E. - Mass - No. 17 tariff, which provided for Cageless Collocation Open Environment (CCOE) and Adjacent Structures, respectively. All but two rate elements were included in the filing. On August 27, 1999, BA-MA filed the remaining two rate elements which completed the mandated new collocation requirements referred to by Ms. Stern in paragraph 12 of her affidavit.

Pursuant to the directives contained in the Department’s Order in D.T.E. 98-58, dated July 30, 1999, BA-MA filed with the Department its compliance filing in pending D.T.E. – Mass. – No. 17 on August 13, 1999. On September 17, 1999, the Department determined that BA-MA’s compliance filing complied with its July 30th Order. Since the Department directed BA-MA to submit its compliance filing for inclusion in the

REPLY: DTE-NECTA 1-16
(cont'd)

pending tariff No. 17, the Department permitted the compliance sections to go into effect immediately. The compliance sections are: Part E, sections 2.1.2.B (September 3 version); 2.1.2.C.1-2, 4 (September 3 version); 2.2.8A (August 13 version, the last two sentences only, beginning with, "When space constraints are identified . . ."); 2.4.2.B (August 13 version, first sentence only), B.3, C (September 3 version, in its entirety); and 2.4.4.A-B (August 13 version).

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Amy Stern
Title: Director-Telecom Industry Services

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-17 [Bell Atlantic claim addressed in question does not relate to a particular checklist item]. Reference Stern Aff., paras. 18-19. Please identify the BA-MA central offices that have (a) no physical collocation arrangements with any CLEC and (b) only one physical collocation arrangement with a CLEC.

REPLY: Central offices with one or more physical collocation arrangements are posted on BA-MA's website. BA-MA is in the process of updating this website to include central offices that currently do not have physical collocation arrangements. Any offices not presently listed on this website are available in the Local Exchange Routing Guide (LERG), which lists all incumbent LEC wire centers.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Amy Stern
Title: Director – Telecom Industry Services

REQUEST: Department of Telecommunications and Energy., Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-20 [Checklist items 2, 4, 5 and others]. Reference Stern Aff. passim. Does BA-MA offer extended link or enhanced extended link as UNEs? If so, please specify all the terms, conditions and limitations applicable to provisioning of these UNEs, with supporting documents. Please also confirm that BA-MA currently makes special access circuits available to CLECs for provision of local services; and, with respect to pre-ordering, ordering, provisioning, billing and repair/maintenance activities performed by BA-MA in Massachusetts, please specify any differences between the activities performed for the extended link/enhanced extended link UNEs and special access circuits.

REPLY: BA-MA offers the Enhanced Extended Link (“EEL”) in compliance with the Department’s Phase 4-K Order in the *Consolidated Arbitrations* dated May 21, 1999. On June 11, 1999, BA-MA filed tariff pages in its pending D.T.E. – Mass. – No. 17 in compliance with the Phase 4-K Order. The terms, conditions, and limitations applicable to the EEL offering appear in Section 13 of the pending tariff. Please see that attachments to DTE-RCN 1-4 and 1-5 for a copy of Section 13.

BA-MA makes intrastate, interexchange, special access service available in the D.T.E. – Mass. – No. 15 tariff. Special access is offered to carriers as a complete, end to end service.

REPLY: DTE-NECTA 1-20

There are no pre-ordering differences between special access and EEL. Special Access services are ordered and provisioned via ASR; EEL IOF/backbones are ordered and provisioned via ASR, but EEL loops are ordered and provisioned via LSR.

Special Access is billed via CABS; EEL IOF/backbone is billed via CABS, but EEL loops are billed via CRIS.

Maintenance and testing provisions between special access and EEL are different.

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-21 Reference May 24, 1999 Affidavit of Gloria Harrington ("Harrington Aff."), para. 6. Has BA-MA modified its standard pole or conduit licenses since 1996 in order to seek to comply with the obligation established in Section 271(c)(2)(B)(iii) of the Act to provide "nondiscriminatory access" to third parties? If so, please describe the nature of such changes.

REPLY: BA-MA recognizes the need to ensure that its license agreements comply with its obligation to provide non-discriminatory access to poles, ducts, conduits, and ROW. BA-MA has taken a proactive, open approach and invited licensees to participate in a series of meetings to work out the terms and conditions of the license agreements.

BA-MA in no way enforces any terms or conditions of its existing license agreements that may conflict with the Telecommunications Act of 1996. In fact, BA-MA has modified and/or created new internal processes and external customer procedures that reflect all current requirements of the Telecommunications Act.

As a result of ongoing monthly meetings with Licensees, BA-MA expects to offer an initial first draft of its pole and conduit agreements for review by licensees by December.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-22 Reference Harrington Aff., para. 6. Has BA-MA changed, or is it considering changing, the restrictions on overlashing by third parties of their own facilities contained in the current standard license agreement? Does BA-MA contend that its current overlashing restrictions are consistent with Federal Communications Commission case law that encourages overlashing a pro-competitive practice so long as done in accordance with standard engineering practices. If so, please state the basis for such belief. If BA-MA overlashes fiber to its own facilities in Massachusetts, please describe the extent of such activities and the restrictions (if any) applicable to such use?

REPLY: BA-MA contends that its current overlashing procedures are not in conflict with the current FCC case law dealing with this subject matter. BA-MA has not changed its restrictions regarding the overlashing by third parties of their own facilities contained in the current standard Aerial License Agreement. The licensee is still responsible to "obtain specific written authorization from Licensors before relocating, materially altering, or replacing its attachments or overlashing its own cable on Licensor's poles" per Section C of Article IX of BA-MA's standard Aerial License Agreement.

BA-MA does overlash fiber to its own facilities in Massachusetts on a limited basis. The overlashing of fiber is restricted by the physical characteristics of the plant and the economic feasibility of any rearrangements required to accommodate the overlash.

BA-MA is involved in discussions with participants of the monthly licensee workshop to develop consistent standards and procedures for licensees overlashing to their own facilities.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-23 Reference Harrington Aff., para. 6. Does BA-MA reserve any conduit or duct space for municipal use? If so, (a) does BA-MA use such reserved conduit space for its own purposes, and (b) does BA-MA allow CLECs or cable operators to use reserved conduit space. If any of the above answers are affirmative, please quantify the use of reserved space by BA-MA and third parties, respectively, by conduit feet and by community.

REPLY: Please see BA-MA's replies to DTE-MCIW-1-16, DTE-MCIW 1-17 and DTE-MCIW 1-18.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager-Facilities Management

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-24 Reference Harrington Aff., para. 11. Please provide copies of all pole attachment agreements between BA-MA and BECoCom, a communications affiliate of Boston Edison, including all agreements for poles jointly owned by BA-MA and Boston Edison. Please provide documentation of any disputes between BA-MA and BECo or BECoCom (including over the need for BECoCom to participate in joint make ready ride outs, the location of BECoCom wires, and the need for BECoCom to sign the standard license agreement) and the resolution (if any) of such disputes.

REPLY: Please see BA-MA's replies to DTE-MCIW 1-21 and 1-22.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager-Facilities Management

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-25 Reference Harrington Aff., para. 11. Please provide copies of all pole attachment agreements between BA-MA and NEES Communications, a communications affiliate of New England Electric System ("NEES"), including all agreements for poles jointly owned by BA-MA and NEES or its affiliates. Please provide documentation of any disputes between BA-MA and NEES (or its affiliates) or NEES Communications and the resolution (if any) of such disputes.

REPLY: There are no intercompany pole contracts between BA-MA and NEES or its its affiliates. In addition, please see BA-MA's reply to DTE-MCIW 1-26.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-28 Reference Harrington Aff., para. 13. Please provide any documents or mailings given to pole or conduit attachers informing them as to the duties and responsibilities of the License Administration Group or the License Administration Coordinators.

REPLY: Please see the following attachments. These attachments are considered voluminous and a copy will be made available at 125 High Street, Boston, MA, at a mutually agreeable time.

Attachment A includes Letters to Licensees announcing Centralized License Administration Group.

Attachment B includes information about BA-New England Facilities Management Staff.

Attachment C includes fifteen Licensee Procedures (#1-15).

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-29 Reference Harrington Aff., para. 14. Please provide samples of the inventory mapping system records applicable to (a) poles, (b) ducts, (c) conduit and (d) rights of way.

REPLY: Please see BA-MA's reply to DTE-MCIW-1-27.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-30 Reference Harrington Aff., para. 14. Does BA-MA have written procedures or policies regarding the reservation of conduit or pole space by BA-MA. If so, please provide such materials.

REPLY: Yes, BA-MA has written procedures and policies regarding the reservation of conduit or pole space by BA-MA. These policies and procedures outline the guidelines employed by BA-MA in the reservation of conduit or pole space by BA-MA. The following are attached:

Attachment A: Network Services Staff Letter 1998-00450-OSP, "Licensee Conduit Use Policy"

Attachment B: Network Services Staff Letter PR-D96-114 "Internal Procedures to Comply with FCC 251"

Attachment C: Conduit Feasibility Study Results Explanation/Instruction Form"

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-31 Reference Harrington Aff., para. 15. Please provide a copy of the Bellcore Blue Book Manual of Construction Procedures (SR-1421) referenced in this paragraph.

REPLY: Attached to the Department's copy of this response is a current copy of the Bellcore Blue Book Manual of Construction Procedures (SR-1421) referenced in paragraph 15 of the Harrington affidavit. The document is copyrighted and may not be reproduced, but may be obtained at a cost of \$470.00 from Telcordia Technologies (formerly Bellcore). To order a copy of this manual call 1-800-521-2673.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-33 Reference Harrington Aff., para. 18 and Attachment 2. Does BA-MA adhere to the processes described in Attachment 2 to Ms. Harrington's affidavit when it orders "similar work" on poles and conduit on its own behalf. If so, provide supporting documents or procedures. If not, please provide the procedures that govern BA-MA requests for additional pole/conduit attachments.

REPLY: The License Administration Group ("LAG") was established to interface with licensees for access to any pole or anchor owned or controlled by BA-MA, or for access to BA-MA owned conduit, and therefore, does not interface directly on BA-MA requests at the initial stage. However, the process BA-MA goes through to obtain access to any poles or conduit for itself closely mirrors the process for licensees.

For additional BA-MA pole attachments, the BA-MA field engineer would initiate a work order to conduct a field survey similar to the field survey conducted for third parties. After determining the construction work necessary for the additional pole attachment, a work order would be issued. This BA-MA work order is similar to the licensee make ready work order issued to provide space on the pole for a licensee's attachment. Also, similar to a licensee make ready work order, the BA-MA work order would be entered into ECRIS and the construction schedule. Like a work order for licensees, the BA-MA work order is then scheduled for construction dependent on material

REPLY: DTE-NECTA 1-33 (cont'd) delivery and force availability as well as the completion of any necessary transfer work by power companies and other pole attachers.

For additional BA-MA cable placements in conduit, the BA-MA field engineer would conduct a records search, similar to the records search for a licensee's request for conduit, to determine the availability of spare conduit capacity. After the feasibility has been confirmed, a manhole survey would be conducted on a manhole by manhole basis to determine the location, condition and assignment of a spare conduit to be used for the cable placement. A work order, similar to the make ready work order for licensees, would also be issued to include rodding, roping, and slugging as necessary to provide for cable placement and to ensure that the conduit is not damaged. A final work order would then be issued to care for the placement of innerduct, if necessary, and the actual cable placement. Scheduling of the work orders would be handled under the same criteria as for pole attachment work.

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NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

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D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-34 Reference Harrington Aff., para. 18. Please provide all written communications from CLECs or cable operators concerning delays in the provisioning of requests for conduit or pole attachment space.

REPLY: Please see BA-MA's reply to DTE-ATT-1-181.

NET# 390

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-35 Reference Harrington Aff., para. 19. Please provide copies of all notice letters sent to pole or conduit licensees or their representatives regarding the “ongoing licensee workshops” referenced in this paragraph. Please also provide copies of all handouts and presentation materials circulated at these meetings, and any minutes that reflect the discussions at these workshops. Please identify any individuals or firms who were sent invitation notices but were not allowed to attend and explain the basis for such decision by Bell Atlantic.

REPLY: Copies of all notice letters sent to pole or conduit licensees or their representatives regarding the “ongoing licensee workshops” are attached.

The following list of handouts and materials circulated at the licensee workshops are attached:

- Aerial License Agreement (see Harrington affidavit attachment 1A)
- Massachusetts Underground Agreement (see Harrington affidavit attachment 1B)
- Terms and conditions for a licensee to perform an overlash to their own existing authorized aerial attachments
- Terms and conditions for a licensee to perform a rebuild of existing authorized aerial attachments
- Terms and conditions for a customer to overlash to another licensee’s authorized aerial attachments

- REPLY: DTE-NECTA 1-35**
- Various proposed procedures for obtaining a second attachment license for the installation of power supplies
 - Definition of rebuild
 - Maine Field trial pole attachment license application utilizing unit cost pricing
 - Draft procedure for adding additional licensee's cable on previously licensed aerial pole attachments (commonly known as overlash)
 - Revised Form C Itemized estimate of pole make ready work and charges
 - Procedure # 9 to determine Conduit/Manhole Availability for Licensing (Please see attachment supplied in BA-MA's reply to DTE-NECTA 1-28)
 - Various participant contact lists
 - Agendas, minutes and meeting notes

BA-MA received numerous replies to its invitation to participate in the first two workshop sessions held to solicit input from licensees on the terms and conditions of the license agreements. BA-MA asked that participants be limited to those who have a working knowledge of the subject matter and who are involved in the day to day activities associated with pole attachment and conduit occupancy. To ensure fair and equitable representation, BA-MA asked that licensees send one representative to each of the first two meetings. This limitation was in response to several parties requesting to have upwards to ten participants at each of the first two meetings.

Several parties requested their attorneys also be present. Since BA-MA wished to limit participation to operational personnel, those requests were denied. BA-MA's representatives were limited to two managers, Gloria Harrington who conducted the meetings, and Marc Berlinger, who acted as a scribe to record issues and concerns during the first two sessions.

BA-MA continues to hold monthly workshops on the second Tuesday of each month. Several licensees have had multiple representatives at these subsequent sessions.

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

COMMONWEALTH OF MASSACHUSETTS

D.T.E. 99-271

Respondent: Gloria Harrington

Title: Manager

REQUEST: Department of Telecommunications and Energy, Set #1

DATED: September 24, 1999

ITEM: DTE-NECTA 1-36 Reference Harrington Aff., para. 19. Please discuss in more detail the nature of the "realignment" and "additions" to LAG personnel referenced in the last sentence of this paragraph.

REPLY: Please see BA-MA's replies to DTE-ATT-1-182 and DTE-ATT-1-183.

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