

ISSUE 6: Hours of Availability

BACKGROUND

Ameritech Illinois uses large "mainframe" computers (as opposed to the personal computers that individuals might use for routine work) to perform OSS functions and store related data. Ameritech Illinois takes its OSS computers and databases off-line, according to a regular schedule, to perform routine maintenance and upkeep. HEPO, at 39. These maintenance activities are performed overnight and on weekends to minimize the impact on customer service. *Id.* While maintenance activities are underway, the computers are unable to process transactions and are thus unavailable for use by CLECs or by Ameritech Illinois retail personnel alike. *Id.* The issue here is how much time is to be set aside for maintenance, or conversely, how many hours each day the systems are to be available for use.

Figure 3 below summarizes Amcritch Illinois' proposal for the scheduled hours in which three OSS functions at issue (pre-ordering, ordering, and repair and maintenance) would be made available to CLECs. For comparison, Figure 3 also shows the retail hours of availability for these functions.

Figure 3 Ameritech Illinois' Proposed Hours of OSS Availability (Issue 6)

FUNCTION	RETAIL HOURS OF AVAILABILITY	PROPOSED HOURS OF AVAILABILITY FOR CEECS
Pre-ordering		
Monday - Friday	6 a.m. - 10 p.m.	6 am - 10 pm
Saturday	7 a.m. - 7 p.m.	7 a.m. - 7 p.m.
Sunday	As functions are available	As functions are available
Ordering		
Monday - Friday	6 a.m. - 10 p.m.	6 a.m. - 1 a.m.
Saturday	7 am - 7 pm	6 a.m. - 1 a.m.
Sunday	Not available	6 a.m. - 1 a.m.
Repair: POTS		
Monday - Friday	24 hours	24 hours *
Saturday	24 hours	24 hours *
Sunday	12 mid. - 12:30 a.m. 6:30 a.m.- 12 mid.	12 mid. - 12:30 am (phone, fax) 6:30 a.m.- 12 mid. * (electronic, phone or fax)
Repair: Specials		
Monday - Friday	2:30 a.m. - 12 mid.	2:30 a.m. - 12 mid.
Saturday	2:30 a.m. - 12 mid.	2:30 a.m. - 12 mid.
Sunday	2:30 a.m. - 12 mid.	2:30 a.m. - 12 mid (phone, fax) 4:00 a.m. - 12 mid. ^{11/} (electronic)

^{11/} By electronic interface and/or by telephone, as described below.

As Figure 3 shows, and as the HEPO correctly acknowledges (at 44), Ameritech Illinois offered CLECs at least as many hours of availability as (and in the case of ordering, more hours of availability than) Ameritech Illinois gives its own retail operations. The CLECs, however, sought 24-hours-a-day, 7-days-a-week, availability for all OSS functions.

The HEPO correctly appreciates (at 44) that this issue involves “balancing the need for system maintenance (AI’s concern) with the need for system availability (the CLEC concern).” It also, quite properly, rejects the CLEC request for 24x7 availability, based primarily on “Staff’s determination that 24x7 availability is wholly cost-prohibitive.” *Id.*

The HEPO then addresses two compromise proposals. With respect to ordering, the HEPO adopts the Staff proposal, and directs Ameritech Illinois to increase its total hours of availability per week from 133 hours to 140 hours. *Id.* at 45. With respect to pre-ordering, the HEPO adopts WorldCom’s alternative proposal that it receive “some Sunday availability” by ordering Ameritech Illinois to add at least 8 daytime hours on Sunday. *Id.* The HEPO also requires Ameritech Illinois to develop and report a plan for adding 8 additional hours during the week. *Id.*

DISCUSSION

I. Repair and Maintenance

Although the CLECs claim they want 24x7 availability for repair and maintenance, they present no argument on that issue. Instead, they only discuss ordering and pre-ordering; they then attempt to bootstrap that argument into a request for 24x7 availability on repair and maintenance, as well. The CLECs do not want to talk about repair and maintenance because Ameritech Illinois already offers access on a virtually unlimited basis. The back-end systems for repair and

maintenance are available to Ameritech Illinois and CLECs alike at all times, with only two exceptions: (1) the systems for POTS ("plain old telephone service") undergo maintenance for six hours a week, from 12:30 a.m. to 6:30 a.m. Sunday, and (2) the systems for "special" services, including loop testing, undergo maintenance from midnight to 2:30 a.m. Even in the unlikely event that a customer would call in to request repairs in the limited period when the *electronic* systems are unavailable, the CLEC can still report that request to Ameritech Illinois for action, simply by calling. As Ms. Cullen explained (Tr. 242):

Q. I would first like to ask you, Ms. Cullen, about that four hour maintenance window for EBTA [the repair and maintenance interface] on Sunday morning. When EBTA is down for that window, what can a CLEC do to report trouble?

A. A CLEC can still call the local operations center, the LOC, to report trouble.

Q. What are the hours of operation of call ins for LOC?

A. 7 by 24, no down time.

Most CLECs prefer telephone access to electronic access even when the electronic interface is available. CLECs as a whole use telephones to place over 90 percent of repair requests; less than 10 percent of all such requests come in via the electronic interface. Am. Ill. Ex. 27, issue 6.

II. Pre-Ordering

Pre-ordering is the process by which service representatives gather information used in preparing a customer's order. AT&T Ex. 4 (Init. Comments) at 5. There are several different functions that are included in this process, and most of them are available on-line (that is, the service representative can access them on a computer while talking on the phone to the customer). HEPO, at 45.

As described above, the HEPO (*id.*) adopts the *CLEC* alternative proposal (offered by WorldCom) and orders Ameritech Illinois to add 8 daytime hours, a full shift, on Sunday. It then goes farther, and gives the CLECs an additional 8 hours during the week to boot. *Id.* Unsatisfied, the CLECs insist on 24x7 availability with “a couple of hours per month” for maintenance. AT&T Exc. at 18. They do not dispute that the HEPO already gives them significantly more hours of availability than Ameritech Illinois gives its own retail operations. They do not even allege that there is a real business reason for 24x7 availability, or that such an extreme measure would have any real competitive benefit. Nor do they contest the HEPO’s finding (at 45) that “pre-ordering is an on-line function typically used when the user is on the phone — it is not reasonable to assume nor has it been shown, that there is a high level of such interaction that occurs in the wee hours.” They do not dispute that the additional hours provided by the HEPO (which, after all, came from a CLEC suggestion) are adequate for any off-hours needs.

Instead, the sole basis for the CLEC exception is their challenge to the HEPO’s conclusion — which the HEPO adopted from Staff — that “24x7 access is wholly cost prohibitive.” HEPO, at 44. But there is ample evidence to support the HEPO’s conclusion. Ameritech Illinois presented witnesses who are responsible for the electronic systems at issue. Ms. Angela Cullen testified that the large mainframe computers used to process OSS transactions were not designed for continuous availability, and that increasing the hours of availability (and decreasing the hours of maintenance) would reduce performance and processing speed across the board. Tr. 231-32. The HEPO credited this testimony in finding that routine maintenance is “vital to the efficient and reliable functioning” of Ameritech Illinois’ OSS (HEPO, at 39), and that “reducing the amount of maintenance on a system might add a few hours of availability, but it would likely reduce performance and processing

speed when most needed” (*id.* at 45). In its initial comments, Ameritech Illinois described, in detail, the maintenance tasks involved and the time scheduled for completing them. Am. Ill. Ex. 15, at 26-33. Finally, Mr. Tim Gilles testified that 24x7 availability would require, for starters, that Ameritech Illinois’s service order processor — which was recently installed at a cost of hundreds of millions of dollars, and took seven years to complete — “would have to be completely rewritten and replaced.” Tr. 235. He added that Ameritech Illinois had performed studies on the matter and had determined that 24x7 availability would be infeasible, even on a limited basis for sample functions. *Id.*

The CLECs had ample opportunity to test this evidence by discovery and cross-examination, but did not. Staff did, and asked Ameritech Illinois to provide the details of its studies. AT&T (at 16) contends that “no such studies were ever entered into the record,” apparently to create the impression that Ameritech Illinois did not respond. That is not true. Ameritech Illinois provided information in response to the Staff data request, and it plainly sufficed: Staff agreed with Ameritech Illinois that 24x7 availability would be “wholly cost-prohibitive.” HEPO, at 44. The reason that Ameritech Illinois’s study was not “entered into the record” was because of its highly confidential nature. The CLECs made no attempt to challenge this decision.

III. Ordering

As described above, the HEPO (at 45) finds Staff’s proposal on ordering hours to be “the most reasonable” and directs Ameritech Illinois to increase its wholesale hours of availability from 133 to 140. This represents over 83 percent of the total hours in a week (24x7, or 168), and gives CLECs a significant advantage over Ameritech Illinois’s retail operations (which have only 82 hours of availability per week). *Id.* Nevertheless, the CLECs object, and seek 24-hour, 7-day access for

ordering. The analysis in the preceding section, which demonstrates that the HEPO correctly found such access is neither necessary nor feasible, applies with equal force here. Thus, this section responds to the exception of Staff and the Joint Small CLECs, who contend that ordering and pre-ordering should be available on the same schedule.

The HEPO (at 45) correctly rejects this contention as “by no means . . . sound.” As the HEPO explains, the Joint Small CLECs and Staff “fail[] to take account of the underlying reason for the difference between pre-ordering and ordering system availability.” *Id.* Pre-ordering and ordering serve different purposes, and use different systems that operate in different ways and that have different maintenance requirements.

The purpose of pre-ordering is to obtain customer information to prepare an order, and pre-ordering functions are thus designed for on-line access and interaction while a customer is on the phone. *See* AT&T Ex. 4 (Init. Comments) at 5.^{12/} Ordering, by contrast, is the process of sending an order for processing after the necessary information has been obtained and considered, where there is less need for on-line interaction. Thus, Ameritech Illinois offers CLECs an order interface that accepts and processes CLEC orders (known as “Local Service Requests”) on its own, without requiring live interaction with the CLEC. Am. Ill. Ex. 27, issue 6.

Although Ameritech Illinois’ ordering systems require routine maintenance and the associated “down” time, just like the pre-ordering systems, the process for ordering allows for more hours of availability because it does not involve live interaction. *Id.* If any of the downstream

^{12/} Staff points out (at 18) that CLECs also use pre-ordering during off hours to clear “paperwork.” But the HEPO already provides for such use, by calling for Ameritech Illinois to add 8 hours of availability on Sunday and another 8 hours throughout the week. Given that the HEPO’s proposal is based on (and in fact exceeds) the CLEC alternative request, it is plainly sufficient to meet any legitimate off-hours needs.

systems in an on-line process (like pre-ordering) is down for maintenance, that process cannot accept on-line requests that require the affected system, because it cannot answer those requests “live.” *Id.* If a system in the ordering process is undergoing maintenance, however, there is no need for a “live” response, so the interface can still accept orders, do what processing it can with the parts of the downstream systems that are available, wait for maintenance to be complete on the remainder, and then continue processing. *Id.*

Because of this method, Ameritech Illinois can offer access to its ordering interface for some periods when pre-ordering is not available. The HEPO passes this benefit on to the CLECs, by providing access to ordering for additional late-night and Sunday hours to allow time for correcting previously rejected orders. Tr. 239. These additional hours are offered to CLECs alone; thus, the hours of availability for wholesale ordering exceed those for retail ordering. But the reduced maintenance needs (and greater availability) of ordering are irrelevant to pre-ordering. Pre-order functions do not use ordering systems, they use pre-ordering systems. The hours for pre-ordering are not a function of the hours for ordering; they are a function of the pre-ordering systems and the associated requirements for maintenance. Conversely, the hours for ordering are a function of the ordering systems. The ordering interface operates in an entirely different method than the pre-ordering systems, and thus require less down-time for maintenance. Thus, as the HEPO concluded (at 45), [t]he only way to keep these functions on an equal footing would be to reduce ordering availability to the hours available for pre-ordering.” Plainly, the HEPO takes a far preferable course.

CONCLUSION

It is essential to keep in mind a fundamental point the CLECs want the Commission to forget. Ameritech Illinois’ obligation is to provide nondiscriminatory access to its OSS. The HEPO

gives them that, and more: hours of availability that exceed those offered to Ameritech Illinois' own retail operations. The CLEC 24x7 proposal would force Ameritech Illinois to scrap hundreds of millions of dollars in equipment and software, devote years of work to finding, buying, and programming new systems, completely change its own business, and require CLECs to incur time and expense on their own end to work with the new systems, solely to provide a few more hours of availability in non-busy hours. The HEPO correctly rejects that approach to strike a balance between proper maintenance and increased availability. The CLEC proposal provides no balance at all.