

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: John Wine, Chair
 Cynthia L. Claus
 Brian J. Moline

In the Matter of Southwestern Bell Telephone Company)	
of Kansas' Compliance with Section 271 of the Federal)	Docket No.
Telecommunications Act of 1996)	97-SWBT-411-GIT

COMMENTS OF WORLDCOM ON COMMISSION STAFF's
RECOMMENDATION

TO THE HONORABLE CORPORATION COMMISSION:

COMES NOW, WorldCom, who files these comments in response to the recommendation of the Staff of the Kansas Corporation Commission ("KCC" or "Commission") and respectfully states the following:

The OSS used to process Kansas' CLEC orders was not part of the Telecordia Texas test. In response to various data requests in its Oklahoma 271 proceeding, SWBT stated that MOKA (Missouri, Oklahoma, Kansas, and Arkansas) CLEC orders are generally processed in its St. Louis data center, whereas Texas orders are generally processed in its Dallas data center. Data Request No. 1-III.D(13) of WorldCom, Docket No. PUD 97-560, July 25, 2000. SWBT further stated that the Dallas processor, not the St. Louis processor, was used and tested in the Texas Telecordia test. Data Request No. 1 of Sprint, Docket No. PUD 97-560, August 8, 2000. Copies of SWBT's responses to these data requests are attached as Exhibit A.

The fact that the MOKA processor was not part of the Texas Telecordia test is significant. First, the FCC noted in its SWBT Texas 271 order that “[t]he findings of a third party tester may be necessary to assess whether a BOC is providing nondiscriminatory access to its OSS, particularly if other evidence, such as data reflecting actual commercial usage, is not presented by the applicant.”¹ Secondly, the Commission has stated that “competition is still in its infancy in Kansas.”² The fact that there are *not* commercial volumes of activity in Kansas, coupled with the fact that the OSS processor for Kansas was not tested, begs for an independent third party to verify whether the MOKA systems can handle the volumes of orders SWBT claims. Just as the Texas commission required an independent third party test and did not merely take SWBT’s word that its OSS works in Texas, the KCC should not take SWBT’s word that the MOKA system is, in fact, the same type of system as the one used in Texas. The Commission should require that an independent third party verify SWBT’s assertions. The Staff’s own discussion mandates such an outcome: “The only reasons to require further testing would be, first if it was determined that SWBT’s systems are not region-wide”³ It may be that SWBT’s OSS for the MOKA states is region-wide; however, even if that statement is true, it begs the question regarding the ability of that system—the MOKA system—to handle commercial volumes of orders because (1) that system was not

¹ *In the Matter of Application by SBC Communications, Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in Texas*, CC Docket No. 00-65 (June 30, 2000) ¶102.

² Staff Recommendation on Southwestern Bell Telephone Company’s Kansas 271 Application, pg. 2 (Staff referring to comments of CURB, which cited to the KCC’s Telecommunications Report to the 2000 Kansas Legislature).

³ Staff Recommendation on Southwestern Bell Telephone Company’s Kansas 271 Application, pg. 18.

tested by Telecordia, and (2) there are not commercial volumes of orders being passed through that system.

WHEREFORE, PREMISES CONSIDERED, WCOM prays that the Kansas Corporation Commission order that an independent third party conduct a test of SWBT's OSS.