

Q: IF THERE CURRENTLY ARE CLECS INTERCONNECTED WITH SWBT WHO ARE NOT CREATING ORIGINATING RECORDS FOR PURPOSES OF EXCHANGING RECIPROCAL COMPENSATION, ON WHAT BASIS IS LOCAL COMPENSATION BEING PAID.

A: When no records are being created and exchanged by the CLEC, SWBT is not paying the CLEC local compensation.

For intraLATA traffic carried on the Local Exchange Carrier (LEC)-to-LEC jointly provided network, it is the responsibility of the originating CLEC to provide billing records for the traffic that their customers originate to all the parties on the call path. This requirement is included in many of SWBT's interconnection agreements with CLECs, in the document SWBT provides to CLECs titled "Data Exchange For CLEC Interconnection With SWBT", and discussed during the various billing meetings between SWBT and CLECs. The introduction section of the Data Exchange document is very clear in the second sentence of the second paragraph, "It is the responsibility of the originating company to create the category 92 records and provide them to the other LECs/CLECs on the call path." The FTA of 1996 also provides in Section 251(b)(5) that all ILECs have the additional duty to establish reciprocal

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compensation arrangements for the transport and termination of telecommunications.

Additionally, SWBT has a process in place that addresses the CLECs who do not comply with the terms of their interconnection agreements. A report of data exchanged with CLECs is reviewed monthly to identify CLECs not providing Category 92 records to SWBT. A multi-step process is followed by SWBT's Account Managers to encourage the CLECs to provide Category 92 records. Initially a CLEC found to not be exchanging data is called to learn if they have data exchange questions which need to be addressed. If the CLEC still is not providing data after their questions have been addressed, an escalating series of correspondence is sent the CLEC advising them of SWBT's concern that the CLEC is not exchanging data per their interconnection agreement. If the CLEC continues to refrain from exchanging data, SWBT will send a letter advising the CLEC that they are in breach of their interconnection agreement and SWBT invokes the dispute resolution clause of the agreement.

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