

1 .BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
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5 In Re: Complaint of IDS Long
6 Distance, Inc. n/k/a IDS Telecom,
7 L.L.C., Against BellSouth
8 Telecommunications, Inc.,
9 and Request for Emergency
10 Relief,

DOCKET NO. 010740-TP

FILED: September 7, 2001

11 DEPOSITION

12 OF

13 WILLIAM GULAS

14
15
16
17
18 One Southeast Third Avenue
Miami, Florida 33131

19
20 Friday September 14, 2001
21 8:30 a.m. - 12:30 p.m.
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Public Service Commission

I N D E X

Witness	Direct	Cross
WILLIAM GULAS		
(By Mr. Meza)	3/106	
(By Ms. Ikoff)		105

1
THEREUPON,

2 WILLIAM GULAS

3 a witness named in the notice heretofore filed,
4 having been first duly sworn, deposes and says as
5 follows:

6 DIRECT EXAMINATION

7 Q. Good morning, my name is Jim Meza. I
8 represent BellSouth. We are here this morning to
9 take your deposition in the IDS complaint proceeding in
10 front of the Commission.

11 What is your full name?

12 A. William P. Gulas.

13 Q. Your home address.

14 A. [REDACTED]

15 Q. Your social security number?

16 A. [REDACTED]

17 Q. Have you ever been deposed before?

18 A. No.

19 Q. I am going to ask that when you are
20 responding to my questions, please give a verbal
21 response. The court reporter cannot pick up huh huh or
22 uh huh?

23 A. Okay.

24 Q. If you have any questions or you don't
25 understand any of my questions, ask me to rephrase it

1 or state it another way, and I will happy to
2 accommodate you?

3 A. Yes.

4 Q. Any time during this deposition, you need to
5 take a break, let me know, and I will be sure to
6 accommodate you?

7 A. Yes.

8 Q. What is your educational background?

9 A. I have a master's in marketing.

10 Q. From where?

11 A. The University of Alabama.

12 Q. What year did you obtain that?

13 A. 1982.

14 Q. Where did you go to undergraduate school?

15 A. The University of Alabama.

16 Q. Did you obtain a degree?

17 A. Yes.

18 Q. In what?

19 A. Business administration, with a major in
20 accounting.

21 Q. What year did you obtain a degree?

22 A. 1980.

23 Q. Can you give me a summary of your employment
24 history, starting with when you left college?

25 A. After college, I went to work in Atlanta for

1 the Lanier Business Products.

2 Q. In what capacity?

3 A. Product testing, software testing.

4 Q. How long were you there?

5 A. Through 1985.

6 Q. Were you promoted?

7 A. Yes.

8 Q. To what position?

9 A. I was a supervisor for product testing, and
10 back then, marketing coordinator was the title. Then I
11 left Lanier and actually moved back to Birmingham and
12 went to work with the University of Alabama at
13 Birmingham.

14 Q. Why did you leave Lanier to go back to the
15 University? You left in 1985?

16 A. Yes.

17 Q. Did you go to UAB in some type of employment?

18 A. Yes.

19 Q. What capacity?

20 A. I was marketing coordinator for their special
21 studies program.

22 Q. How long were you in that position?

23 A. Three years.

24 Q. 1988?

25 A. Yes.

1 Q. During that time, would you commute to
2 Tuscaloosa?

3 A. This was in Birmingham.

4 Q. The University of Alabama is in Birmingham?

5 A. Yes, UAB.

6 Q. Is that where you obtained your undergraduate
7 and master's from UAB?

8 A. No, from the University of Alabama.

9 Q. You told me you obtained your master's in
10 1987?

11 A. No, my master's was in 1982.

12 Q. Sorry.

13 A. 1982 or 1983.

14 Q. Did you leave, were you promoted at UAB?

15 A. Different positions.

16 Q. Changes of job?

17 A. Yes.

18 Q. To what?

19 A. I was the fiscal officer for the school of
20 optometry.

21 Q. How long were you in that position?

22 A. Five months.

23 Q. What did you do next?

24 A. Went to BellSouth.

25 Q. What year was that, 1988?

1 A. Yes.

2 Q. Why did you leave UAB?

3 A. Because I wanted to do market research, which
4 is what I wanted to do since college.

5 Q. When you left to go to BellSouth, was that
6 your first experience with the telecommunication
7 industry?

8 A. Yes.

9 Q. Prior to that, did you take any special
10 training or courses that dealt specifically with the
11 telecommunications industry?

12 A. No.

13 Q. What position were you employed at originally
14 in BellSouth?

15 A. Market research analyst.

16 Q. Give me a brief description of your job
17 duties?

18 A. We were hired, if you will, from different
19 Departments within BellSouth, to conduct market
20 research studies for those departments.

21 Q. What exactly is market research?

22 A. Determining customers, it could be any number
23 of things, we did customer enhancements to see what
24 customers wanted. We did internal morale surveys to
25 see what was going on inside. We did product concept

1 research. That probably covers it.

2 Q. How long were you in market research
3 analysis?

4 A. Two to two and one-half years.

5 Q. Until about 1990?

6 A. Yes. That sounds about right.

7 Q. Did you have any specific job duty to
8 evaluate BellSouth's markets share within its region?

9 A. Not that I recall.

10 Q. 1990, you changed positions at BellSouth?

11 A. Yes.

12 Q. Were you promoted?

13 A. I don't think so.

14 Q. It was a lateral move?

15 A. Yes.

16 Q. What was your new position?

17 A. Competitive analyst.

18 Q. How long were you in this position?

19 A. Until 1992, or 1993.

20 Q. What exactly were your job duties as a
21 competitive analyst?

22 A. To study the industry.

23 Q. For what were you specifically studying?

24 A. We were looking at competitors at the time.
25 We were looking at industry migration, where it might

1 go. We were providing information to another group
2 that did the scenario, that did develop the scenario
3 for strategic planning.

4 Q. You were looking at competitors in the local
5 service markets?

6 A. No. That was before the Telecom Act.

7 Q. Where did BellSouth have competitors in
8 '83 and '83?

9 A. Mostly special access.

10 Q. Any other network?

11 A. Not that I am aware of.

12 Q. What do you mean by special access?

13 A. The companies that can purchase pipes instead
14 of pipes, being trunks or large transports, and that
15 was what was happening at that time. The companies
16 were being developed that provided in service and were
17 taking larger customers, because those were the ones
18 that would use these types of services.

19 Q. A dedicated line?

20 A. Yes.

21 Q. You said you left the position as a
22 competitive analyst around 1992 and 1993?

23 A. Yes.

24 Q. What did you do next?

25 A. Some KIS stuff for small business.

1 Q. What is KIS?

2 A. Marketing information systems.

3 Q. How long were you in this position?

4 A. About two months.

5 Q. 1993 or 1992?

6 A. Yes, somewhere in that time frame.

7 Q. Why did you leave your position as a
8 competitive analysts?

9 A. There was a restructuring of the company at
10 that time.

11 Q. Why were you in the position of MKIS for only
12 two months?

13 A. Because I moved from small business to
14 Interconnection.

15 Q. What was your position in Interconnection?

16 A. Still doing MKIS work there.

17 Q. How long were you MKIS for Interconnection?

18 A. Six or eight months.

19 Q. Are we in 1994 yet?

20 A. Yes.

21 Q. Then, is that a promotion to go from a
22 competitive analyst to MKIS?

23 A. Somewhere in there I was promoted, but I
24 don't remember which part, but, yes, somewhere in
25 there.

1 Q. After your position as Interconnection as
2 MKIS, what was your net position?

3 A. Advertising.

4 Q. How long were you in that position?

5 A. About 18 months.

6 Q. Why did you leave Interconnection MKIS to go
7 to advertising?

8 A. They requested me.

9 Q. What is after advertising?

10 A. Product management.

11 Q. How long were you in this position?

12 A. A little over two and one half years.

13 Q. Let us say you were Interconnection MKIS for
14 six months, some time in 1992, you went to advertising
15 for 18 months, and I am thinking 1995, you took over as
16 product manager?

17 A. 1997, November of 1997.

18 Q. You were there until --

19 A. May of 2000.

20 Q. What exactly is a product manager?

21 A. It is a person that is responsible for a
22 product or a group of products in terms of the
23 different things that go along with that.

24 Q. What was your product?

25 A. Which time?

1 Q. How many products did you have?

2 A. Within that time frame, about ten.

3 Q. Do you remember them all?

4 A. Originally, it was an unbundled port, UNE-P,
5 along with Interim Local Number Portability and
6 Selected Call Routing.

7 Q. ILN&P and --

8 A. ILN&P and then Selected Calling Routing is a
9 separate one. Then, Network Combinations.

10 Q. All right.

11 A. And then the Switched Combination after the
12 third report, and the order took effect.

13 Q. Is that it?

14 A. Yes.

15 Q. Is that ten?

16 A. Well, there are sub products within that
17 category.

18 Q. The third report and order is the 319 remand
19 order, yes?

20 A. Yes.

21 Q. Would it be fair to say in general terms,
22 that your product was UNE-P or a Network Combination
23 product, and it's derivative from the early origination
24 of the product?

25 MS. IKOFF: Objection to the form.

1 MR. MEZA: What grounds?

2 MS. IKOFF: Form of the question.

3 Q. All right.

4 A. Say that again.

5 Q. As you and I both know, UNE-P as it stands
6 today, has many modifications and a history of where it
7 started and ended up. Is it fair to say that you were
8 product manager of the UNE-P product that we know
9 today, from its origination to the 319 product?

10 A. There has to be a definition of terms, UNE-P
11 and--

12 Q. I understand, we had this confusion, the
13 product that you and I call the UNE-P product
14 BellSouth calling the UNE-P product, which is the, and
15 correct me if I am wrong, 319 product?

16 A. Right.

17 Q. Would it be fair to say that you were the
18 product manager for the UNE-P 319 product and previous
19 versions of that product to its origination whatever
20 BellSouth decided to offer?

21 MS. IKOFF: Objection to the form. You can
22 answer, if you can.

23 A. You have three questions in there.

24 Q. Okay, break them down?

25 A. The UNE-P product as we have talked about --

1 from 1999, when I was the product manager, there was
2 not a UNE-P product before that. Before that, there
3 was the Network Combination, and before that, there was
4 what was defined as an Internal Port/Loop Combination.

5 Q. Prior to the Port/Loop Combination, was there
6 any other product out there?

7 A. Any other --

8 Q. Any other UNE-P port or whatever we are
9 calling the UNE-P product, was there a UNE-P product
10 prior to what is out there today?

11 A. Yes.

12 Q. What was that product called?

13 A. These are Individual Elements Stand Alone
14 Port.

15 Q. What year did BellSouth implement or create
16 the Port/Loop Combination product?

17 A. 1997.

18 Q. You were the product manager of that product,
19 is that correct?

20 A. Yes.

21 Q. Was that the first product that BellSouth
22 combined with the Port Inner Loop?

23 A. Yes, to my knowledge.

24 Q. From the Port/Loop Combination, derived the
25 Network Combination Product.

1 A. That is correct.

2 Q. From the Network Combination derived the 319
3 UNE-P product?

4 A. That is correct.

5 Q. You were the product manager for all three of
6 those products?

7 A. Yes, correct.

8 Q. What were your responsibilities for product
9 manager for the Port/Loop Combination product?

10 A. That is when I took it that it was mostly
11 developed. It was a mandate from the Kentucky Public
12 Service Commission.

13 Q. The product was developed by the time you got
14 to be product manager?

15 MS. IKOFF: Objection, mischaracterization of
16 the witness's testimony.

17 Q. What did you say?

18 A. That the product had been developed by the
19 time I picked it up.

20 Q. If the product was developed, what other task
21 did you perform for that product while you were product
22 manager?

23 A. Nothing.

24 Q. Did you implement it?

25 A. I don't believe.

1 Q. Did you market it?

2 A. No.

3 Q. Did you do anything with the product?

4 A. Not that I recall.

5 Q. What did you do?

6 A. We had meetings.

7 Q. I am trying to figure out, there was nothing
8 for you to do, but you were the product manager, and
9 are did you do?

10 A. There were other products that I was
11 responsible for at the time.

12 Q. When did the Network Combination product
13 comes about?

14 A. The first part of 1998.

15 Q. Why did BellSouth adopt a new product or
16 modified product?

17 A. It was -- I am trying to remember -- it was
18 either the AVP or the VPs that made the decision to
19 create this product.

20 Q. How did it differ from the Port/Loop
21 Combination product?

22 A. There were regional rates instead of State
23 specific rates for the Port and for trans port. It was
24 volume and a commitment contract. There were different
25 zones, and there was a professional service fee

1 attached to it.

2 Q. As far as technology goes, was there any
3 difference?

4 A. No.

5 Q. It was the same product, but different terms
6 as far as how to get it?

7 A. Yes.

8 Q. What specific tasks did you perform for the
9 Network Combination Product?

10 A. Defined it.

11 Q. What did you define it as?

12 A. Pretty much what I just told you. It was a
13 combination of a Loop and a Port, with a professional
14 Service Coordination Fee.

15 Q. What else did you do?

16 A. Pricing, general direction of promotions, and
17 I was involved in project team meetings.

18 Q. Were you involved in the testing of the
19 product?

20 A. As I remember with the project team, yes.

21 Q. That was not your primary responsibility?

22 A. I did not test it. I did not physically get
23 in there and test it. It was my responsibility to make
24 sure they worked.

25 Q. That brings up a good question, how was the

1 team structured, in what capacity were you, a manager
2 or supervisor over the team members?

3 A. There was a project manager who ran the
4 meetings. Then within the team were a number of
5 subject matter experts from different disciplines
6 within the company.

7 Q. Did you do anything else other than run the
8 meetings?

9 A. I did not run the meetings.

10 Q. I thought you said the project manager ran
11 the meeting?

12 A. Yes.

13 Q. Who was the project manager for the Network
14 Combination?

15 A. Terry Prokopek.

16 Q. What were the project manager's
17 responsibilities?

18 A. To run the meetings, develop minutes,
19 prepare the project schedule, list action items from
20 the team, assign the action item, and follow up to make
21 sure they were completed and roll out the product.

22 Q. As product manager, did the project manager
23 report to you?

24 A. No.

25 Q. Did you report to the project manager?

1 A. No.

2 Q. Were you related in any way to the project
3 manager as far as job responsibilities go, were you a
4 team?

5 A. Yes. I was a member of the project team.

6 Q. As product manager, what were your specific
7 responsibilities as a member of the project team?

8 A. Define the product, and any action item that
9 came out of the team meeting, looked at any questions
10 associated with what the product is, and what it does,
11 and how it is supposed to work and those type of things
12 from the subject matter experts, and those were the
13 questions I would answer.

14 Q. Did anybody report to you?

15 A. No.

16 Q. So, if somebody had a question about what the
17 product does, they would go to you?

18 A. Yes.

19 Q. Is that how it worked?

20 A. Yes, but I was at the meeting.

21 Q. What did you do at the meetings? Did you
22 have any specific role or responsibility in the
23 meetings?

24 A. The product manager there was one of the team
25 members.

1 Q. I am trying to figure out what exactly you
2 did for the development and implementation of the
3 Network Combination product?

4 A. Define the product, in terms of what the
5 product is, the pricing, the promotions, and how it was
6 going to be promoted and the overall knowledge of the
7 product. From a high level, I did not know
8 specifically Network -- but I knew at a 50,000-foot
9 level.

10 Q. Was there anybody else on that team that knew
11 more about the product than you?

12 A. No.

13 Q. Were your responsibilities the same for the
14 319 product?

15 A. Yes.

16 Q. Again, was there anybody on that team, the
17 319 team that knew more about the 319 product than you?

18 A. From an overall and general perspective, no.

19 Q. What do you mean from an overall general
20 perspective? Can you give me some parameters as to
21 what was within your knowledge and what was outside of
22 your knowledge?

23 A. For example, the Network; I could not tell
24 you, where the OE was and how it was connected to the
25 Loop. In billing, there may have been a data base that

1 I was not familiar with, specifically to those OE,
2 SME's tasks, and that is why they were on the team.

3 Q. Did you know what the purpose of the product
4 was?

5 A. Yes.

6 Q. Did you know how it was supposed to work?

7 A. Yes.

8 Q. Did you know how it was supposed to be
9 implemented by the CLECs or used by the CLECs?

10 A. How to be used -- I am not sure.

11 Q. Ordering mechanism, ordering process?

12 A. No.

13 Q. Any ordering requests, you were not the
14 person with the most knowledge?

15 A. That is correct.

16 Q. If there were testing concerns or the test
17 results were unsatisfactory, did you have any
18 responsibility to make sure that the product was
19 retested or made modifications to the product?

20 A. Yes.

21 Q. Is that an additional responsibility that you
22 had as product manager?

23 A. I don't think so. That would fall under the
24 development of the product.

25 Q. I see what you are saying. When is a product

1 deemed to be developed?

2 A. Our responsibilities were pre-ordering,
3 ordering, provisioning, maintenance and billing?

4 Q. Is that the team?

5 A. Yes, when those things were accomplished, it
6 was considered ready to be released.

7 Q. As product manager, were you solely
8 responsible for the development of the product?

9 A. No.

10 Q. I am confused. Your main responsibility was
11 to define a product, answer questions about how it
12 should work, then I asked you a question about testing
13 and you said you were the guy that would require
14 additional testing or certain modifications be made?

15 A. If it did not test out right.

16 Q. So to me, testing is another requirement or
17 another job duty in addition to defining the product.
18 You said testing was part of development, so -- can you
19 explain that further?

20 A. The testing was a team effort. When you test
21 it, it goes through each one of these people's areas.

22 Q. Yes.

23 A. They were responsible for watching it to make
24 sure it goes through their area flawlessly. In terms
25 of a roll out, my responsibility was to make sure --

1 the project's manager responsibility is to make sure
2 all this information came back to the team, and
3 everybody was aware of what happened, and then any
4 concerns would have been brought up by the team members
5 and myself.

6 Q. To who? Who would you express your concerns
7 to?

8 A. My manager; within the team, had concerns
9 that were brought up to me, and it was brought up to me
10 if there were any concerns and then to the project
11 manager.

12 Q. Why would they bring concerns to you?

13 A. If it did not test right, that would be a
14 reason not to roll it out.

15 Q. Did you have any final decision or filter to
16 your manager or your boss as to what to do with this
17 product? I am trying to understand if you had any
18 supervisory capacity on the project team?

19 A. No.

20 Q. Why would people report to you?

21 A. As a team member it was my product, and I had
22 the responsibility of saying, yes, it is ready to go or
23 not.

24 Q. Were you the sole person to make the
25 determination?

1 A. Based on information from the project team.

2 Q. You define the product, you answer questions
3 as to how it is supposed to work, and then you had the
4 final decision based upon the information you received
5 from the team as to whether the product should roll out
6 or not?

7 A. Yes.

8 Q. Again, your job duties were the same for
9 Network Combination as they were for the 319 UNE-P
10 product?

11 A. Yes.

12 Q. Did you enjoy your job at BellSouth?

13 A. For the most part, yes.

14 Q. No problems with it that you expressed or had
15 any concerns that you expressed to anyone?

16 A. At what time?

17 Q. Let's say, in 1999?

18 A. Yes, there were problems and concerns in
19 1999.

20 Q. Can you explain though?

21 A. In late '99, when we were assembled for the
22 319, getting ready to create the 319 product, the time
23 frames and amounts of what needed to be done was
24 overwhelming. So, whoever would listen, I told that
25 there were resource constraints associated with rolling

1 this product out, time and resource constraints with
2 rolling this product out.

3 Q. That is the 319 product?

4 A. Yes.

5 Q. Did you ever develop or create an idea of
6 establishing a company that helped other CLECs convert
7 or process conversion orders?

8 A. Yes.

9 Q. When did that idea come about?

10 A. At the end of March 2000, somewhere in that
11 area, that time frame.

12 Q. Did you tell anybody about it?

13 A. Yes.

14 Q. Who did you tell?

15 A. I discussed it with my team members to get
16 their opinion of it, initially. Then, I mentioned it
17 to my boss.

18 Q. Who was your boss again?

19 A. At that time, I don't remember.

20 Q. This is in March of 2000?

21 A. Yes.

22 Q. What team members did you tell?

23 A. I can't recall everybody.

24 Q. Who do you remember?

25 A. Sandra Harris, Becky Wellman, Darleen Haynes,

1 Jimmy Kelley, and there were two or three others, but I
2 don't remember who they were.

3 Q. Do you know where you made this announcement?

4 A. Grady's.

5 Q. What was the response of these team members?

6 A. It was not an announcement. We were talking
7 at dinner, and I said, what do you think about this, it
8 was not like I have this idea, what do you think about
9 this. There was a discussion about it. They thought
10 it was a good idea. It was not like, an announcement,
11 I am going to do this and this. It was just a dinner
12 talk.

13 Q. Was this before or after BellSouth rolled out
14 the 319 product?

15 A. After.

16 Q. What did you tell your boss?

17 A. What did I tell him?

18 Q. Regarding this idea that you had?

19 A. I said, pretty much the same thing, what do
20 you think about this?

21 Q. What did she tell you?

22 A. He.

23 Q. He?

24 A. That is probably not something that we would
25 be interested in doing.

1 Q. Did he give you a reason?

2 A. Yes.

3 Q. What was that?

4 A. It was not something that -- we did not help
5 the CLECs in processing their orders.

6 Q. Your supervisor told you that?

7 A. Yes.

8 Q. When?

9 A. It must have been into March 1st, the last
10 part of April.

11 Q. Do you know who this person is?

12 A. I can't remember the name.

13 Q. You remember the conversation, but you don't
14 remember who told you?

15 A. Yes.

16 MS. IKOFF: Objection to the characterization
17 of his testimony.

18 MR. MEZA: How is that a mischaracterization?

19 MS. IKOFF: You don't remember what he told
20 you.

21 MR. MEZA: I said, you don't remember his
22 name, but you remember what he told you.

23 MS. IKOFF: That is not your statement. Read
24 it back.

25 Q. You don't remember his name, but you remember

1 what he told you?

2 A. That is correct.

3 Q. What was your response to that?

4 A. As I recall, I did not have a response.

5 Q. What happened next as far as the development
6 or the implementation of your idea of this belief or
7 idea?

8 A. At BellSouth.

9 Q. In general?

10 A. I contacted some CLECs and said, what do you
11 think about this? Actually, if there was a company out
12 there that would do this for you, how much, what do you
13 think would be a reasonable amount of money to be
14 charged.

15 Q. Which CLECs did you contact?

16 A. Only IDS and Network One.

17 Q. Network One, where are they?

18 A. Atlanta.

19 Q. When did you contact IDS?

20 A. The later part of March 1st, the later part
21 of April, in that time frame, after the dinner meeting.

22 Q. Who did you speak with at IDS?

23 A. Keith Kramer.

24 Q. You had conversations with Mr. Kramer prior
25 to that conversation?

1 A. We had conversations.

2 Q. Do you remember in general what they were
3 about?

4 A. Network Combinations.

5 Q. Do you know how many conversations that you
6 had with Mr. Kramer prior to this discussion?

7 A. No.

8 Q. It happened on a regular basis?

9 A. With the Network Combinations, was there any
10 contact with those people on a regular basis that had
11 the contracts.

12 Q. Did you begin to have conversations with IDS
13 after they executed their Network Combination contract?

14 A. No.

15 Q. Did you have conversations with IDS prior to
16 that execution?

17 A. Yes.

18 Q. Do you remember when they first began?

19 A. No.

20 Q. Do you know if it was before or after IDS
21 first received the training on EDI?

22 A. I would have no knowledge of that.

23 Q. Was it before or after the implementation of
24 the Network Combination Product in June of 1999?

25 A. The Network Combinations were done before

1 June of '99.

2 Q. That is a fair response. Was it before or
3 after the conversion of Access Integrated Space from
4 resale to UNE-P?

5 A. After.

6 Q. Do you know when that conversion took place?

7 A. The summer of 1999 -- into September.

8 Q. Some time from September '99 forward, you
9 first had your conversation with IDS, yes?

10 A. Yes.

11 Q. What type of conversations would you have,
12 what would be discussed, if you remember?

13 A. I was brought in by the account team to
14 present the Network Combinations which were frequently
15 done.

16 Q. How would you present it?

17 A. A power point presentation.

18 Q. Trying to sell it to them?

19 A. Right.

20 Q. When was the first time you met Mr. Kramer in
21 person?

22 A. Some time after the conversion -- I am
23 thinking the October time frame.

24 Q. Was he present when you made your power point
25 presentation?

1 A. Yes.

2 Q. Would that be the first time that you did it?

3 A. Yes.

4 Q. Can you describe the type of relationship
5 that you had with him, was it friendly, business only,
6 did you guys like each other?

7 A. Pretty much business only. Came in and made
8 the presentation and left.

9 Q. Do you remember the next conversation that
10 you had with Mr. Kramer?

11 A. No.

12 Q. Why did you pick IDS as the CLEC that you
13 contacted, as far as the idea that you had regarding
14 helping CLECs convert?

15 A. Because they had signed the Network
16 Combination Agreement and had not done a whole lot with
17 it. So--

18 Q. Do you know if, at the time, you contacted
19 IDS, if they had executed the UNE-P contract?

20 A. I don't know.

21 Q. What was Mr. Kramer's response?

22 A. [REDACTED]

23 Q. Were you surprised by that amount?

24 A. No.

25 Q. Did you think that was a fair price?

1 A. I thought it was in the ball park.

2 Q. When did you first talk to Network One?

3 A. That same time frame.

4 Q. Late March or early April?

5 A. Yes.

6 Q. Do you know who you spoke with at Network
7 One?

8 A. No.

9 Q. Did you have any type of relationship with
10 Network One, or was it a cold call?

11 A. No.

12 Q. You had contact with Network One?

13 A. Yes.

14 Q. You don't remember their name?

15 A. It could be one of two people.

16 Q. Give me those people?

17 A. It was either Scott Hauser or Tom Brinkman.

18 Q. Is that a yes?

19 A. That is a yes.

20 Q. What did Network One say in response to your
21 inquiry?

22 A. They thought it was a good idea.

23 Q. Did they give you a price for the product?

24 A. Not that I recall.

25 Q. At the time that you contacted IDS and

1 Network One, were you ready to leave BellSouth?

2 A. No.

3 Q. What would you have required in order to
4 leave BellSouth at that time, what did you need to make
5 the jump?

6 A. Courage.

7 Q. Nothing in particular, and you were not
8 looking for a particular incentive package?

9 A. No.

10 Q. Were you just feeling around to see if
11 anybody was interested at that point?

12 A. Yes.

13 Q. When was your next contact with IDS regarding
14 your idea?

15 A. I would say within ten days of the phone
16 call.

17 Q. Did you contact IDS or did they contact you?

18 A. They contacted me.

19 Q. This would have been early to mid April?

20 A. Yes.

21 Q. Who contacted you?

22 A. Keith Kramer.

23 Q. What did he tell you?

24 A. I said, why did you ask, just trying to get
25 information. He said, is your term with BellSouth,

1 long term or short term? I said, I do not know. I
2 said, why don't we talk? He said, okay.

3 Q. Was that the extent of the conversation?

4 A. Yes.

5 Q. Did you make plans to meet in person?

6 A. Yes.

7 Q. When did you decide to meet or what date did
8 you decide to meet?

9 A. I don't recall the date.

10 Q. How many days after this telephone
11 conversation?

12 A. Within ten days after this telephone
13 conversation.

14 Q. Where did you meet?

15 A. The Atlanta Airport.

16 Q. Who did you meet with?

17 A. Mr. Kramer.

18 Q. Anybody else?

19 A. That is it.

20 Q. What was discussed at that meeting?

21 A. The concept of issuing orders for other
22 companies and other CLECs.

23 Q. Was there any discussion about whether IDS
24 would do this, or operate a company recently created?

25 A. There would be a separate company created.

1 Q. Were any financial arrangements or questions
2 discussed at that meeting?

3 A. Not that I recall.

4 Q. Or any positions discussed at this meeting?

5 A. Yes.

6 Q. What exactly was discussed regarding
7 positions?

8 A. Because it was a new concept.

9 Q. Yes?

10 A. Not knowing if it was going to fly or not, he
11 suggested, why don't you come to IDS and we will
12 BETA-test it there, and then if it works, we will roll
13 it out to other companies.

14 Q. What exactly did you have in mind as far as
15 this process, this idea? What were you offering to
16 IDS?

17 A. What was I offering to IDS, I am not sure I
18 understand the question.

19 Q. Why would you need to BETA-test it?

20 A. Never been done.

21 Q. What exactly were you providing to another
22 CLEC, or would you be providing to another CLEC?

23 A. The ability to issue orders.

24 Q. What does that entail? What services did you
25 envision, providing to another CLEC.

1 A. Taking their resale base and converting it to
2 the UNE-P.

3 Q. Were there any special procedures or
4 activities that you were going to use in order to make
5 that happen?

6 A. No.

7 Q. You were going to use BellSouth's current
8 procedures in order to implement the conversions?

9 A. Yes.

10 Q. Was there an agreement reached at that
11 meeting in Atlanta?

12 A. No.

13 Q. Were you ready to leave BellSouth after that
14 meeting?

15 A. No.

16 Q. Was there any discussion how this new company
17 would be funded?

18 A. Yes.

19 Q. What was discussed?

20 A. That IDS would fund it.

21 Q. Was there any discussion as to the ownership
22 interest of you or IDS?

23 A. No.

24 Q. Did you expect to receive some type of
25 ownership interest in the company?

1 A. Yes.

2 Q. Was that a requirement in order for you to
3 come to IDS?

4 A. Yes.

5 Q. You made that clear to Mr. Kramer at that
6 meeting?

7 A. I don't recall at that meeting.

8 Q. All right. I presume you shook hands and
9 went your merry way. When was the next meeting with
10 IDS regarding your employment?

11 A. Some time after that. I could not tell you
12 how many days, or anything like that.

13 Q. Was it before or after the bulk ordering
14 incident?

15 A. Before.

16 Q. Where was this meeting?

17 A. Miami.

18 Q. When was the purpose of the meeting?

19 A. To talk with the other IDS owners about the
20 concept.

21 Q. At this meeting, were there any discussions
22 about how the corporation would be owned, and who would
23 be owners of the corporation, approximately?

24 A. Yes.

25 Q. What was discussed?

1 A. I am not sure who the owners would be, yes.

2 Q. Was there a determination at that time who
3 the owner would be?

4 A. Yes.

5 Q. Who was that determination?

6 A. The three owners of IDS, Mr. Kramer and
7 myself.

8 Q. Was there an allocation of ownership interest
9 at that time?

10 A. Not that I recall.

11 Q. Were there other types of financial
12 arrangements discussed at that time, regarding your
13 employment at IDS?

14 A. Yes.

15 Q. Do you know what was specifically discussed
16 regarding that and how much you were going to be paid?

17 A. Yes. [REDACTED]

18 Q. Any discussion about ownership interest in
19 IDS?

20 A. No.

21 Q. At that meeting, was there any type of
22 agreement reached?

23 A. No.

24 Q. Were you ready to leave BellSouth then?

25 A. Probably.

1 Q. Was there an offer extended at that time?

2 A. If not then, within days after that.

3 Q. Let me backup a second, why did you contact
4 Network One?

5 A. They were the other group that had signed the
6 Network Combinations and had not executed anything
7 associated with it.

8 Q. Do you know when they executed their
9 contract?

10 A. October 27th, '99. That was another one.

11 Q. So, is it your testimony that after that
12 meeting in Miami, a few days later, IDS called you with
13 an offer?

14 A. That is right, yes.

15 Q. In this call, was there a specific discussion
16 regarding the allocation of ownership interest in this
17 new company?

18 A. No.

19 Q. Did you have a general idea of what
20 percentage of it you would own?

21 A. Yes.

22 Q. What was that?

23 A. [REDACTED]

24 Q. Did you accept the offer with that call?

25 A. No.

1 Q. When did you accept the offer?

2 A. The next day.

3 Q. How did you accept it by phone or letter?

4 A. Phone.

5 Q. Who did you call?

6 A. Mr. Kramer.

7 Q. Do you know what date you accepted?

8 A. No.

9 Q. Before or after the bulk ordering incident?

10 A. Before.

11 Q. When did you make your announcement at
12 BellSouth that you were leaving?

13 A. The first week in May.

14 Q. When was your last day at BellSouth?

15 A. Approximately, the end of May.

16 Q. How many years were you with BellSouth?

17 A. 11 and one half.

18 Q. Do you have any pension benefits or anything
19 owed to you?

20 A. Sorry.

21 Q. Did you have any pensions, did you have
22 enough years with the company to have any pension
23 benefits?

24 A. Yes.

25 Q. Was there any type of lump sum or severance

1 package given when you left?

2 A. No.

3 Q. Did you sign a non-disclosure agreement or
4 confidentiality agreement before leaving?

5 A. No.

6 (Recess)

7 (Maryann Helton on the phone)

8 Q. Mr. Gulas, are you familiar with the ordering
9 process that a CLEC has to go through in order to
10 submit a conversion order?

11 A. Yes.

12 Q. Is that an area of expertise for you?

13 A. No.

14 Q. But you have a general understanding, is that
15 correct?

16 A. Yes.

17 Q. With this company that you were going to
18 create with IDS, and correct me if I am wrong, the
19 conversions that you were going to sell or essentially
20 submit the CLEC UNE-P conversion orders through
21 BellSouth's system, is that correct?

22 A. Yes.

23 Q. Were you going to be the person who was
24 responsible for hiring the people or submitting the
25 orders through yourself, how was that supposed to work?

1 A. Yes. I was the one responsible for it,
2 hiring people.

3 Q. Could you submit an order through LENS?

4 A. When?

5 Q. In April of 2000?

6 A. No. I don't know.

7 Q. Had you ever tried to submit an order?

8 A. No.

9 Q. But you did have an understanding as to how
10 it generally worked, is that correct?

11 A. Yes.

12 Q. Was it your intent to train people or would
13 you hire a trainer?

14 A. I did not think about it.

15 Q. Do you know how an order flows through the
16 BellSouth system?

17 A. To some degree, yes.

18 Q. You know that some times an order falls out?

19 A. Yes.

20 Q. Some times it goes through?

21 A. Yes.

22 Q. You know how a CLEC submits an order through
23 an electronic interface?

24 A. I know the interface that is available.

25 Q. You know that SOCS generate a service order?

1 A. Yes.

2 Q. And SOC's kicks it out --

3 A. That is my understanding.

4 Q. Is it your testimony that you knew more about
5 the conversion process than you did the CLECs?

6 A. From what I had seen in talking with the
7 CLECs, yes.

8 Q. When was your first day at IDS?

9 A. I don't specifically remember.

10 Q. You left BellSouth at the end of May, right?

11 A. Yes.

12 Q. Did you take a break, a vacation?

13 A. No.

14 Q. Would it be some time in May?

15 A. Probably.

16 Q. Did you bring anybody from BellSouth with you
17 to IDS?

18 A. What time frame?

19 Q. Let me strike that. After your initial
20 announcement at the restaurant about this idea, when
21 was the first time that you had any discussions with
22 any of the team members, or anybody else at BellSouth
23 regarding potential employment with IDS?

24 A. Maybe the end of April, May.

25 Q. Who did you speak with?

1 A. Actually they asked me, the people kept
2 asking me, where is it, what is going on, what is
3 happening?

4 Q. Who asked you?

5 A. Sandra Harris, Becky Wellman, Jimmy Kelley, .

6 Q. What did you tell them?

7 A. Moving along.

8 Q. Did you tell them you were talking about IDS?

9 A. I don't remember specifically, if I mentioned
10 exactly who it was at that time or not.

11 Q. Do you know how many times Becky Wellman
12 called you to find out the progress of your inquiries?

13 MS. IKOFF: What time frame?

14 Q. From the date that you announced it at the
15 restaurant, until May?

16 A. No.

17 Q. More than once?

18 A. Yes.

19 Q. What would she ask you in these
20 conversations?

21 A. How is it going?

22 Q. Did you ever tell her I can't contact you,
23 because I don't know if there is going to be any room
24 for you where I am going?

25 A. Yes.

1 Q. Do you know when that was?

2 A. I am sure it was early on, because it was
3 still conception.

4 Q. That was some time after the announcement at
5 the restaurant, or the discussion at the restaurant?

6 A. Yes.

7 Q. Why did you tell her that?

8 A. Because I did not know.

9 Q. At that time had you contacted any CLECs?

10 A. No.

11 Q. Did either Sandra Harris or Mr. Kelley
12 contact you after the discussion at the restaurant,
13 until May of 2000?

14 A. Yes.

15 Q. Do you know how many times Sandra Harris
16 contacted you?

17 A. No.

18 Q. More than one?

19 A. Yes.

20 Q. What did she ask you in the conversation?

21 A. How is it going?

22 Q. What did you tell her?

23 A. Still moving along, just checking things out.

24 Q. What about Mr. Kelley, how many times did he
25 contact you?

1 A. I don't recall.

2 Q. More than once?

3 A. Yes.

4 Q. What did he ask you, the same?

5 A. Yes.

6 Q. Your response was the same?

7 A. Yes.

8 Q. When did you tell either Ms. Harris,

9 Ms. Wellman or Mr. Kelley, that something potential may

10 happen with IDS?

11 A. Mid April, I think.

12 Q. Did you tell all of them during the same time

13 period?

14 A. Probably.

15 Q. How did you tell them?

16 A. I don't remember exactly.

17 Q. Did you call them or did they call you?

18 A. Neither; it was, I am probably leaving.

19 Q. What did they say in response?

20 A. Where are you going?

21 Q. What did you tell them?

22 A. IDS.

23 Q. What did they say in response?

24 A. Something to the effect, are you going to be

25 doing what you talked about?

1 Q. What did you say?

2 A. I said, yes.

3 Q. Did they ask if they could go with you?

4 A. Yes.

5 Q. All three of them?

6 A. Yes.

7 Q. What did you tell them?

8 A. I told them I did not know at this point.

9 Q. Were you ever in a position where you did
10 know where it may be that you could take some, or all
11 of them with you?

12 A. Yes.

13 Q. When was that?

14 A. I don't know.

15 Q. Before or after the bulk ordering incident?

16 A. Probably before.

17 Q. In your discussions with IDS and Mr. Kramer,
18 did you discuss at any time, the possibility of
19 bringing certain people with you from BellSouth?

20 A. Yes.

21 Q. What did he tell you?

22 A. He asked who and what positions.

23 Q. When did he tell you this?

24 A. Probably, the mid April time frame.

25 Q. Of the three people who inquired and

1 expressed interest in going to IDS, did you have
2 positions for each one of them in mind?

3 A. No.

4 Q. Did Mr. Kramer tell you that you can only
5 take one, two or three, how did he express his approval
6 or the possibility of bringing additional people?

7 A. Expertise and cost.

8 Q. Did he leave the decision to you as to which
9 person to recommend?

10 A. Yes.

11 Q. And did you make that decision?

12 A. Yes.

13 Q. Who did you recommend?

14 A. All of them.

15 Q. Did you have a specific position in mind for
16 all three of them as to how they would benefit IDS?

17 MR. MEZA: Let the record reflect Mr. Gulas
18 left the room to speak with his attorney and it is
19 now back to the present.

20 (The question referred to was read back by
21 the court reporter)

22 A. Your question is talking about IDS, and it
23 was never the intent for IDS. It was in the intent for
24 the new company being created. So, when you talk about
25 IDS, that is one of the confusions, that was not the

1 focus.

2 Q. Did IDS eventually employ one of the three?

3 A. Yes.

4 Q. Was there any discussion with Mr. Kramer
5 about having these three individuals employed by both
6 IDS and the new company?

7 A. No.

8 Q. Just solely with the new company?

9 A. Yes, originally, yes.

10 Q. Was the final decision as to who should be
11 employed with the new company, was that left for you or
12 IDS to decided?

13 A. It would have been both.

14 Q. What did you decide regarding these
15 individuals, were you going to employ them in the new
16 company?

17 A. If we could, depending on what the BETA-test
18 showed.

19 Q. When was that BETA-test?

20 A. At the end of June, the first part of July, I
21 believe that is right.

22 Q. Why did you do the BETA-test?

23 A. The idea was to see if we could start getting
24 orders converted to IDS, and then once that was done,
25 how to do that for other CLECs.

1 Q. Was this an internal IDS BETA-test?

2 A. Yes.

3 Q. Do you know if it took place after the
4 BETA-test between BellSouth and IDS?

5 A. I don't know.

6 Q. You were not involved in that?

7 A. No.

8 Q. Do you know if the BETA-test involved using
9 the bulk order feature on the per line basis or per
10 account basis for conversions?

11 A. Do I know?

12 Q. If your BETA-test used the bulk order
13 feature, or converted lines, or accounts on a per line
14 basis?

15 A. No.

16 Q. No, what?

17 A. It did not.

18 Q. Use which one?

19 A. Either one.

20 Q. What exactly was the BETA-test?

21 A. To see how the order-- because IDS was not
22 getting orders. We were going to use their CLECWARE
23 interface.

24 Q. Let me ask you, this were you converting a
25 whole bunch of lines at one time, or one at a time in

1 this BETA-test?

2 A. One at a time.

3 Q. Were you submitting individual account
4 orders?

5 A. Yes.

6 Q. Do you know what activity code was used
7 during this internal BETA-test?

8 A. No.

9 Q. You don't know if it was a W or a V?

10 A. I do not know.

11 Q. Who was responsible for this test?

12 A. Becky Wellman.

13 Q. You said that the decision to hire one of the
14 three, or all three, would be made after the BETA-test?

15 A. No. I did not say that.

16 Q. You did not say that?

17 A. No.

18 Q. When did you make the determination whether
19 this new company could hire all three of these
20 individuals that you mentioned that were interested?

21 A. You are putting them as a group, all three of
22 them together, and they were not doing it that way.

23 Q. As to any of them, when did you make the
24 decision that either IDS or this new company could take
25 on another BellSouth employee?

1 A. Soon after I had accepted their offer.

2 Q. Was it IDS or this new company that was not
3 formed yet, who was going to hire this person?

4 A. IDS was going to hire them.

5 Q. Who was that person?

6 A. Becky Wellman.

7 Q. Did you have any influence or say so in the
8 decision to hire Becky Wellman?

9 A. Yes.

10 Q. Was it a decision left to you alone?

11 A. No.

12 Q. She was solely hired by IDS at that time?

13 A. Yes.

14 Q. The new company did not exist?

15 A. Correct.

16 Q. Do you know when she was hired?

17 A. No.

18 Q. Some time in May?

19 A. As I recall.

20 Q. Do you know why she was hired?

21 A. Because she had knowledge of the ordering
22 process.

23 Q. What about Sandra Harris, was there any
24 decision made as to whether IDS or the new company
25 would hire her?

1 A. Yes.

2 Q. When was that decision made?

3 A. At that same time when the decision was made
4 for Becky Wellman.

5 Q. What was that decision?

6 A. Right now, they could not afford it.

7 Q. What about Mr. Kelley?

8 A. Same thing.

9 Q. Did you tell them that?

10 A. Yes.

11 Q. You called them up and said, we don't have a
12 job for you at this time?

13 A. They would ask, and I would tell them right
14 now, there is nothing there. They said, keep me in
15 mind.

16 Q. When IDS hired Ms. Wellman, was there an
17 intention for her also to participate in the new
18 company?

19 A. Yes.

20 Q. Was there also a discussion about giving her
21 an ownership interest in this new company?

22 A. Yes.

23 Q. Why was that? Why did you feel you should
24 give her an ownership interest rather than be a regular
25 employee?

1 A. I thought it was the right thing to do.

2 Q. Do you know what percentage of this new
3 company she was going to own?

4 A. [REDACTED]

5 Q. Was there any discussion with Linda Tate?

6 A. Yes.

7 Q. When were those?

8 A. July, I think.

9 Q. Who contacted Ms. Tate? Linda Tate first
10 contacted IDS?

11 A. Yes.

12 Q. If what?

13 A. If there was a position available at IDS.

14 Q. Who did she contact?

15 A. Issam Sayeah.

16 Q. Do you know when she made this contact?

17 A. No.

18 Q. Did Mr. Issam report this to you or to
19 Mr. Kramer?

20 A. Mr. Kramer.

21 Q. What did Mr. Kramer do?

22 A. He said let us talk to her.

23 Q. Did he?

24 A. Yes.

25 Q. Do you know when?

1 A. Not specifically, no.

2 Q. Were you present at the meeting where he
3 talked to her?

4 A. Yes. There was, I recall, more than one.

5 Q. Were you present at the meeting in Atlanta?

6 MS. IKOFF: Objection, foundation.

7 Q. Where were the meetings?

8 A. There was one in Atlanta, and there was one
9 in Miami, as I recall. There may have been more than
10 that. Those are the only two that I remember.

11 Q. Were you present in the meeting in Atlanta?

12 A. Yes.

13 Q. Were you present at the meeting in Miami?

14 A. Yes.

15 Q. Were you present at any other meetings?

16 A. I don't remember. I don't remember.

17 Q. Do you remember any specific conversations at
18 the meeting in Atlanta?

19 A. Yes.

20 Q. Do you remember if there was any discussion
21 about the bulk ordering feature?

22 A. There was not.

23 Q. Why did she want to become part of IDS, if
24 you know?

25 A. I have no idea.

1 Q. What did you all talk about in Atlanta?

2 A. What it would take for her to come over, and
3 what she would do.

4 Q. What exactly did you discuss, about what she
5 would do?

6 A. We talked about building a front end to the
7 electronic gateways.

8 Q. What do you mean by a front end?

9 A. Similar to RoboTAG.

10 Q. Or CLECWARE?

11 A. Yes.

12 Q. IDS created the software that would interface
13 with the BellSouth TAG system?

14 A. Part.

15 Q. Used with TAG?

16 A. Yes. It would be used with TAG.

17 Q. Did you feel she had any particular knowledge
18 about that subject?

19 A. She had knowledge of the electronic ordering
20 systems.

21 Q. In Atlanta, was there a decision made by IDS
22 to hire Ms. Tate?

23 A. No.

24 Q. Was the Miami meeting after the meeting in
25 Atlanta?

1 A. Yes.

2 Q. What was discussed in the Miami meeting?

3 A. The owners of IDS wanted to meet her, and see
4 her, what she did, who she was, get a general idea --
5 an interview.

6 Q. Again, was a discussion of her employment
7 with IDS limited to the investment of a new electronic
8 interface at that meeting?

9 A. Yes.

10 Q. Was there any discussion about her
11 participating in the new company?

12 A. Yes.

13 Q. What role would she have in that new company?

14 A. Developing the front end, I don't remember
15 the exact title, developing the front end interface.

16 Q. What would be used by IDS and the new
17 company, the front end interface?

18 A. Yes.

19 Q. Was there a discussion about her obtaining an
20 ownership interest in the company?

21 A. Yes.

22 Q. Any specific allocation that you can
23 remember?

24 A. I believe, [REDACTED]

25 Q. Was there a decision made after the Miami

1 meeting to hire Ms. Tate?

2 A. Yes.

3 Q. Did she accept the offer?

4 A. No.

5 Q. Did she tell you why or tell IDS why?

6 A. We could not come to terms.

7 Q. At the time of your discussions with
8 Ms. Tate, was the new company actually created yet?

9 A. I don't believe so.

10 Q. Do you know when the new company was created?

11 A. No.

12 Q. What is the new company's name?

13 A. Unified Solutions.

14 Q. How is it structured?

15 A. LLC.

16 Q. Who are the members of the LLC?

17 A. Myself, Becky Wellman, Keith Kramer, Joe
18 Milstone, Tony Patrone and Michael Noshay.

19 Q. When was the ownership allocation
20 implemented?

21 A. Somewhere around October.

22 Q. What is your percentage of ownership?

23 A. [REDACTED]

24 Q. What is Becky Wellman's?

25 A. [REDACTED]

1 Q. What is Kramer's?

2 A. [REDACTED]

3 Q. What is Mr. Milstone?

4 A. [REDACTED]

5 Q. Mr. Noshay?

6 A. [REDACTED]

7 Q. And Patron?

8 A. [REDACTED]

9 Q. Who is responsible for Unified Solutions to
10 solicit business?

11 A. Everybody.

12 Q. There is no Director of Sales or anything
13 like that?

14 A. No.

15 Q. How do you solicit or try to obtain business?

16 A. I call CLECs.

17 Q. What do you tell them?

18 A. That we can convert their resale business
19 from them, from resale to UNE-P.

20 Q. Do you tell them how you can do that?

21 A. No.

22 Q. How many CLEC has Unified Solutions
23 contacted?

24 A. Probably [REDACTED]

25 Q. How many CLEC customers have Unified

1 Solutions had?

2 A. [REDACTED]

3 Q. Does Unified Solutions currently have any
4 CLEC customers?

5 A. Yes.

6 Q. How many?

7 A. [REDACTED]

8 Q. [REDACTED]
9 [REDACTED]

10 A. [REDACTED]

11 Q. When did Unified Solutions obtain it's first
12 customer?

13 A. December of 2000 -- late November or early
14 December.

15 Q. When did it obtain its fourth customer?

16 A. July of this year.

17 Q. How long does it is take to convert the CLEC
18 base to UNE-P, generally, do you know?

19 A. No.

20 Q. How does Unified Solutions charge a CLEC?

21 A. Per line.

22 Q. Do you know an order has to be submitted to
23 BellSouth system on per line basis or account basis?

24 A. An account basis.

25 Q. What is the charge on a per line basis?

1 A. It is negotiated with the CLEC.

2 Q. What do they range? What is the range of
3 prices?

4 A. [REDACTED]

5 Q. [REDACTED]

6 A. [REDACTED]

7 Q. Do you know how many lines Unified Solutions
8 has converted?

9 A. [REDACTED]

10 Q. Do you know how many orders Unified Solutions
11 has submitted?

12 A. No.

13 Q. When you call CLEC, have they ever asked how
14 many lines you have converted for other CLECs?

15 A. Yes.

16 Q. What do you tell them?

17 A. [REDACTED]

18 Q. When was that up to? What date was that up
19 to?

20 A. On this last --

21 Q. Very recently?

22 A. Yes.

23 Q. How often are distributions made?

24 A. Whenever we get paid.

25 Q. How many distributions have been made?

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A. [REDACTED]

Q. What has your share of the distribution ranged from, monetary, amountwise, if you can remember the low to high?

A. [REDACTED]

MS. IKOFF: We are going to agree to keep this deposition confidential.

MR. MEZA: Yes, no problem.

Q. Does Unified Solutions use the W Activity Code?

A. Yes.

Q. Does it use V Activity Code?

A. Unified Solutions does not use any Activity Code.

Q. Okay. How does it submit an order?

A. It subcontracts the order.

Q. To who?

A. IDS.

Q. Unified Solutions subcontracts the order to IDS, does IDS use the W Activity Code?

A. Yes.

Q. Does Unified Solutions subcontracts to IDS, does IDS also use the Activity Code V?

A. Yes.

Q. Do you know how often IDS, on behalf of

1 Unified Solutions, using the W over the V?

2 A. No.

3 Q. Do you have any idea which is used more
4 frequently?

5 A. The W is used more frequently.

6 Q. How do you know that?

7 A. In talking with the people that enter the
8 order -- not necessarily the people but the supervisor
9 over the group that enters the order.

10 Q. Who is that?

11 A. Gus Morales.

12 Q. Have you had any first hand experience in
13 viewing or analyzing the percentage of time that IDS
14 submits an order using a V versus W?

15 A. No.

16 Q. Would Becky Wellman have more knowledge than
17 you about that?

18 A. Yes.

19 Q. Has Unified Solutions told any other CLEC
20 about the W?

21 A. No.

22 Q. Do you know if IDS told another CLEC about
23 the W?

24 A. I don't know.

25 Q. Has Unified Solutions ever told CLEC it could

1 convert more orders in a shorter period of time than
2 the CLEC could by itself?

3 A. Not that I can recall.

4 Q. Let us change gears. The 319 product?

5 A. Yes.

6 Q. Were you involved in the testing of the 319
7 product?

8 A. Yes.

9 Q. How were you involved?

10 A. As a member of the product team, just being
11 there, knowing it was being done, and the results of
12 the test.

13 Q. Did you do any of the testing, yourself?

14 A. No.

15 Q. What were the results of the test?

16 A. They were ordered flowed through.

17 Q. Do you know when this test took place?

18 A. January, February, 2000.

19 Q. Do you have any concern about the 319 product
20 on whether it worked or not?

21 A. No.

22 Q. Does that include from ordering to
23 completion?

24 A. How are you defining the ordering?

25 Q. When the CLEC submits the LSR until an order

1 is completed?

2 A. I would not know from when a CLEC submits,
3 and LSR.

4 Q. Who is responsible for that?

5 A. The electronic ordering group.

6 Q. Were you concerned about the N process?

7 A. Yes.

8 Q. Did you ever alleviate those concerns, were
9 those concerns ever remediated or alleviated?

10 A. Not completely.

11 Q. I thought you told me that you did not have
12 any concerns about the product?

13 A. Well, in terms of getting it out on time in
14 the time frame it needed to be gotten out, no. We had
15 a deadline, a hard deadline of February 17th. In
16 meeting that deadline, that is what we did.

17 Q. Tell me your concerns about the D&N?

18 A. The concerns with the D&N is that as orders
19 are processed through systems, they sometimes get
20 separated, and therefore they will work separately
21 instead of in tandem.

22 Q. What is the result of that?

23 A. Working separately?

24 Q. Yes.

25 A. A customer will go out of service.

1 Q. Does that lead to a loss of a dial tone?

2 A. On a separated order, yes.

3 Q. If D&N separates, is there also a feature
4 loss?

5 A. Could be.

6 Q. What types of features are effected from the
7 separation of the D&N?

8 A. It depends on what was on the N order.

9 Q. Are you familiar with the RRSO?

10 A. Yes.

11 Q. Tell me what that is?

12 A. It is a code, FID, that must be put on an
13 order to keep them together as they flip throughout the
14 network system.

15 Q. Does that work if it placed on there by the
16 BellSouth Electronics System or by the LCSC, or does
17 the RRSO prevent the D&N from separating?

18 A. Yes.

19 Q. When you were product manager?

20 A. Yes.

21 Q. Of the Network Combination Product, were you
22 involved with the development of the RRSO?

23 A. Yes.

24 Q. What was your role?

25 A. Product manager for the products, so I was in

1 the meeting when it was discussed.

2 Q. Did you think it was a good idea back then,
3 the RSSO?

4 A. Yes.

5 Q. When was it first implemented, do you
6 remember?

7 A. I think it was April of '99.

8 Q. Prior to the time of the implementation of
9 the RSSO, do you know what the disconnect rate was?

10 A. No.

11 Q. After the implementation of the RSSO, do you
12 know what the disconnect was?

13 A. No.

14 Q. Were you involved in the implementation of
15 Access Integrated in June of 1999?

16 A. Yes.

17 Q. What was your role?

18 A. Product manager.

19 Q. You were just aware of it?

20 A. I was aware of it, and I was on the team that
21 implemented it.

22 Q. Do you know what the disconnect rate was for
23 the conversion of Access and Access Integrated?

24 A. Less than 1 percent.

25 Q. Did the product team consider that as

1 success?

2 A. Very much so.

3 Q. Was the CLEC happy with that?

4 A. I don't know. I never talked to them so I
5 don't know.

6 Q. You were not given any accolades?

7 A. Yes.

8 Q. You were?

9 A. Yes.

10 Q. By who?

11 A. Probably our assistant vice-president.

12 Q. Who would that be?

13 A. Eric Small.

14 Q. Were you responsible for identifying other
15 team members that played a large role in the success?

16 A. Yes.

17 Q. Who else did you identify?

18 A. I don't remember. Sandra Harris, Becky
19 Wellman, I believe there was another one, but maybe two
20 or three, but I don't remember exactly.

21 Q. Mr. Kelley?

22 A. Could have been, it could have been any
23 number of other people.

24 Q. Do you know when those awards were given?

25 A. September or October of 1999.

1 Q. In the development of the Network Combination
2 Product, was there a discussion of the Single C
3 ordering method?

4 A. Yes.

5 Q. Why did the team have that discussion?

6 A. Because they recognized the problem with
7 ordering and getting separated in the downstream
8 systems.

9 Q. The Single C would alleviate that?

10 A. Yes.

11 Q. Orders separating?

12 A. Yes.

13 Q. There would be other problems?

14 A. Right.

15 Q. Associated with the order?

16 A. Yes.

17 Q. What was done about that, was there a
18 specific analysis?

19 A. Yes, well, specific analysis, no.

20 Q. Investigation --

21 A. There were recommendations.

22 Q. Okay.

23 A. In May of 1998, April or May, and in July and
24 August of 1998, and March of 1999.

25 Q. An investigation was done in those three time

1 periods?

2 A. That was when we brought it up again to my
3 management and others people's management, that this
4 was a concern of the teams.

5 Q. When was the first investigation done?

6 A. April or May of 1998.

7 Q. That was when the RRSO was implemented?

8 A. Yes.

9 Q. What was the result of that investigation?

10 A. That the team should look at the development
11 of a Single C process similar to resale.

12 Q. Did you bring that up the chain?

13 A. Yes.

14 Q. What was the response?

15 A. Actually, that turned into the meetings in
16 July and August, that an action item was created for me
17 to follow up with that and get a work request process,
18 so we could begin looking at that.

19 Q. You were responsible for taking it a step
20 further?

21 A. Yes.

22 Q. What happened next with the Single C process?

23 A. It started taking a back seat because the
24 marketing vice-president -- I am trying to remember the
25 time frame-- the marketing vice-president wanted to

1 roll the product out by the end of the year, the end of
2 1998 and so to do that, we would have to pretty much
3 cancel the Single C idea at that point if we are going
4 to meet the December time frame.

5 Q. Was there any estimation given to the team as
6 to how long it would take to develop the Single C?

7 A. Not at that time.

8 Q. No discussion, six months to a year to create
9 edits?

10 A. Not that I recall at that time.

11 Q. To the best of your knowledge, the reason why
12 the Single C was not developed in 1998, you needed to
13 get the Network Combination Product out by the end of
14 the year?

15 A. Yes.

16 Q. To do a Single C would require some time?

17 A. Yes.

18 Q. The next time it was looked at was in March
19 of 1999?

20 A. Correct.

21 Q. Before the implementation of the RSSO?

22 A. I believe so.

23 Q. What was done in March of 1999?

24 A. Another project manager was brought in, and
25 the project manager as I was told, was the one that

1 worked on the Single C, the resale Single C, and was
2 brought in to one of our meetings and actually
3 conducted a meeting after our meeting; and they wanted
4 to get some ideas what could be done to create this
5 Single C process. We sat there, and she boarded all
6 the things that the team had talked about and was
7 getting more discouraged every time somebody said
8 something.

9 Q. Why?

10 A. Because it is my opinion; I don't know, from
11 what I was seeing, is that there were things involved
12 with a Single C process for UNE-P from resale or
13 retail, to UNE, that were different than the problems
14 faces from retail to resale.

15 Q. In your opinion it was not going to be an
16 easy transition to develop this process from resale to
17 retail, to UNE-P?

18 A. I don't know about transition.

19 Q. It was not going to change a few edits?

20 A. No.

21 Q. Now, when did BellSouth roll out the Network
22 Combination Product?

23 A. December of 1998.

24 Q. At that time, they, BellSouth, was using the
25 D&N process, is that correct?

1 A. Yes.

2 Q. Did you vote or did you agree that the
3 product was ready to be rolled out at that time?

4 A. In the shape it was in, we were told the
5 product would be ready in December of 1998.

6 Q. Did you vote, or did you not vote or did you
7 abstain or dissent, you voted?

8 A. Yes.

9 Q. It was ready to go?

10 A. Yes.

11 Q. Prior to the roll out of the UNE-P product,
12 did you vote or agree that the product was ready to be
13 rolled out?

14 A. Yes.

15 Q. That product contained the D&N presence?

16 A. It did.

17 Q. Did you have any discussions with Mr. Kramer
18 about use of the incorrect USOC code for conversion
19 orders?

20 A. What time frame?

21 Q. April?

22 A. Yes.

23 Q. Can you describe those events?

24 A. He had called me up, one afternoon, Friday
25 afternoon, and said, we have been trying to put orders

1 in, and we can't get them through. I said, what is
2 happening? He told me that we were getting
3 clarification. What USOCs are you using? He told me
4 the USOCs that he was using. I told him those were
5 incorrect, and I told him the correct ones, and that
6 was it.

7 Q. How did you know he was using the wrong USOC
8 codes?

9 A. He told me which one he was using.

10 Q. Do you know where he obtained the USOC codes?

11 A. I do not.

12 Q. I hate to ask again, how did you know the
13 ones he was using were incorrect? Did you look at the
14 business rules to see?

15 A. Because I knew which ones he should be using.

16 Q. You did not know how he obtained the one he
17 was using?

18 A. No.

19 Q. Was he following the USOC codes that were set
20 forth in the BellSouth business rules?

21 A. I have no idea.

22 Q. At the time that Mr. Kramer contacted you,
23 you had already had a discussion with him about Unified
24 Solutions?

25 A. Yes.

1 Q. When did you have the subsequent conversation
2 with Mr. Kramer about the USOC codes or ordering
3 problems?

4 A. He called, or he called the following Monday,
5 maybe Tuesday, and said, we are doing the exact same
6 thing we were doing before, ordering, and it was going
7 in, and we are now ordering, and it is not going in. I
8 said, okay.

9 Q. That is it?

10 A. I told him to find out what could have been
11 the problem.

12 Q. Who did you contact?

13 A. My billing SME.

14 Q. Who is that?

15 A. Debbie Williams.

16 Q. What did she tell you?

17 A. Everything looked right and that was my first
18 indication. I was trying to find out a filler list that
19 had changed over the weekend.

20 Q. Did you get any type of work around or
21 anything like that?

22 A. Not that I remember.

23 Q. Is it normal for a customer or CLEC to
24 contact the product manager when they are having
25 ordering problems, that is not your area of expertise,

1 is it?

2 A. No. In the normal cause of events, no.

3 Q. Do you believe your relationship with
4 Mr. Kramer as a result of these discussions with
5 creating Unified Solutions may have led him to contact
6 you?

7 MS. IKOFF: Objection, calls for speculation.

8 MR. MEZA: Sure.

9 Q. Let me ask you this way; if you had not had
10 your conversation with Mr. Kramer regarding Unified
11 Solutions, would you expect him to call you regarding
12 his ordering problems?

13 A. Yes.

14 Q. Why is that?

15 A. Because other companies that I was involved
16 with in the Network Combination contract, would call
17 me.

18 Q. But it is not a common course of business, is
19 that your testimony?

20 A. No. Where I was getting involved was mainly
21 those four companies that had the Network Combinations.

22 Q. Are you familiar with EDI?

23 A. No more than it is a gateway.

24 Q. Did you ever tell Mr. Kramer that EDI was
25 never set up to do the Port/Loop Combo conversions?

1 A. I did tell them that. I don't remember.

2 MR. MEZA: Let the record reflect that the
3 confidentiality of the deposition, I think, we
4 agreed yesterday to let you guys have enough time
5 to read it and decide whether you want to have
6 the confidentiality and then redact it.

7 MS. IKOFF: I was not present except for
8 Becky Wellman's deposition and I have no knowledge
9 whatsoever of the agreements. I can't say yes or
10 no. When Brian comes back he can agree or
11 disagree.

12 (Recess)

13 BY MR. MEZA:

14 Q. Mr. Gulas, now going to your Rebuttal Panel
15 Testimony, do you have that with you?

16 A. Yes.

17 Q. Can you go to page three, lines 12 through
18 14?

19 A. Okay.

20 Q. Where you were discussing being involved in
21 negotiating in the Interconnection Agreement with
22 certain ALECs. What was your role in the negotiations?

23 A. When CLECs would bring up counter proposals
24 to the BellSouth Standard, the negotiators would run
25 those counter proposals by the appropriate product

1 manager.

2 Q. What do you mean modification to BellSouth's
3 Standard, the Standard Agreement?

4 A. Yes, the Standard Agreement, the Standard
5 Interconnection agreement.

6 Q. Why would they go to you?

7 A. Because, well, like I said specifically on my
8 products that were in a loop, they would go to a loop
9 product manager.

10 Q. Were you involved in the negotiations of the
11 Interconnection Agreement with IDS in 1998?

12 A. No.

13 Q. Were you involved in negotiation of IDS
14 Interconnection Agreement in late 1999, or 2000?

15 A. No.

16 Q. Were you involved in the negotiations with
17 IDS's Network Combination Agreement?

18 A. Yes, not directly with them, though.

19 Q. What was your role?

20 A. To answer any questions that came up,
21 according to the contract negotiator, they would speak
22 with me about it; the same thing with the
23 Interconnection agreement.

24 Q. What questions did you receive from the
25 negotiator regarding the Network Combination Product.

1 Generally, I know it is a long time ago?

2 A. There were questions about wrap up time.
3 There were questions about -- I can't recall -- every
4 one of them was different than the standard of the four
5 that I was involved with, and every one of them had
6 some changes that were different.

7 Q. Were you asked about the provision that said
8 that if you bring this agreement before the Public
9 Service Commission or any other regulatory agency, that
10 it would become null and void? Were you involved with
11 that question?

12 MS. IKOFF: Objection, foundation.

13 Q. Okay.

14 A. Not specifically to IDS.

15 Q. Other instances you may have seen?

16 A. Yes.

17 Q. What was your response in those situations?

18 A. Exactly, that if it was taken before any
19 regulatory body and ruled to be under that jurisdiction
20 of the regulatory body, that contract would become
21 automatically null and void.

22 Q. Were you involved in any way with IDS's UNE-P
23 contract?

24 A. No.

25 Q. Page six, line two and three, is that your

1 portion of the testimony? Sometimes I get confused.

2 Yes. You stated IDS regularly encountered OSS related
3 problems during this process?

4 A. Okay.

5 Q. What OSS problems are you referring to?

6 A. The dropping of the vertical feature,
7 including hunting. The tearing down of memorycall,
8 mail boxes. The disconnection of service, I think that
9 covers them.

10 Q. Are you, personally, do you have personal
11 knowledge of any of those OSS related problems?

12 A. Are you asking, has it happened to me?

13 Q. Have you talked to a customer about any of
14 those?

15 A. No, I have not.

16 Q. All the information that you have obtained
17 regarding the OSS related problems has been obtained
18 through other people telling you these things occurred?

19 A. Yes.

20 Q. Do you know how many customers have
21 experienced feature loss?

22 A. No.

23 Q. Do you know which customers have experienced
24 feature loss?

25 A. No.

1 Q. Do you know when they experienced feature
2 loss, the exact time period?

3 A. No.

4 Q. Do you know how many customers have
5 experienced disconnect?

6 A. No.

7 Q. Do you know which customers have experienced
8 disconnect?

9 A. No.

10 Q. Do you know when the disconnect occurred?

11 A. No.

12 Q. What do you mean by line 21, the IDS
13 regularly encounters?

14 A. That they were occurring on a regular basis.

15 Q. Can you be more specific, every week, every
16 day, every month?

17 A. At least every week.

18 Q. Do you know how many occurrences every week,
19 feature loss?

20 A. No.

21 Q. Do you know how many occurrences every week
22 of disconnects?

23 A. No.

24 Q. Do you know how many times a week the voice
25 mail is dropping, memorycall dropping?

1 A. All the time.

2 Q. Every day?

3 A. Any time there was a memorycall conversion,
4 up through April of this year.

5 Q. And how many memorycall or voice mail orders
6 does IDS submit a day?

7 A. In the analysis that I had seen roughly 20 to
8 25 percent have memorycall of our customers.

9 Q. What analysis?

10 A. The analysis that was done on a customer base
11 to see how many customers have memorycall.

12 Q. Who performed the analysis?

13 A. I don't know.

14 Q. Do you know when it was done?

15 A. In the January, February time frame.

16 Q. 2001?

17 A. Yes.

18 Q. Is it in a spread sheet format?

19 A. As I recall.

20 Q. Do you know how many pages it is?

21 A. No.

22 Q. Who gave it to you?

23 MS. IKOFF: Object, foundation.

24 Q. Did you create it?

25 A. No.

1 Q. Did someone give it to you?

2 A. Yes.

3 Q. Who gave it to you?

4 A. Probably Mr. Kramer.

5 Q. Did he ask you to make a report or something
6 on it or is this from your knowledge?

7 A. Just knowledge.

8 Q. Do you still have a copy of that analysis?

9 A. No. I don't think so. Not that I aware of.

10 Q. Do you know if IDS has a copy of this
11 analysis?

12 A. I believe so.

13 Q. Were you involved in anyway, in providing the
14 documents, in response to BellSouth's discovery
15 request?

16 A. No.

17 Q. You don't know if IDS has produced this
18 document, do you?

19 A. No.

20 Q. Look on page six, line three and four, and
21 five:

22 These problems arise because BellSouth has
23 made deliberate decisions to utilize inferior systems
24 that require ALECs to jump through a variety of hoops
25 in order to process each customer conversion request.

1 How do you know that BellSouth made a
2 deliberate decision to utilize inferior systems?

3 A. Inferior to BellSouth, in that BellSouth uses
4 DOE & SONGS, which is inferior to BellSouth's
5 Interconnection and retail who use ROS and RNS, and
6 CLECs are required to go through LEO, LESOG, may drop
7 out.

8 Q. What is the your basis for that belief? Is
9 that something you experienced first hand or is that
10 something that was told by you?

11 MS. IKOFF: Clarify.

12 Q. What is the basis for your belief? How did
13 you find out about that information that BellSouth
14 retail uses ROS and RNS and CLECs, then do not have the
15 access to that?

16 A. It is the fact that BellSouth uses ROS and
17 RNS, in Mr. Wilson's testimony and rebuttal, I believe.

18 Q. In Mr. Wilson's direct and rebuttal?

19 A. They implemented that.

20 Q. How do you know that BellSouth has made a
21 deliberate decision where you were involved in the
22 decision making process?

23 A. No.

24 Q. What is the basis for your statement that it
25 was deliberate?

1 A. Because the decision was made to provide the
2 CLEC with EDI, TAG, and LENS through LEO and into LESOG
3 to get into SOC's, whereas BellSouth has systems that
4 have edits in place and go directly into or key their
5 orders directly into SOC's.

6 Q. Have you ever worked on the retail side?

7 A. No -- yes.

8 Q. When?

9 A. When I was with the small business.

10 Q. Have you ever worked in the retail ordering
11 side?

12 A. No.

13 Q. Have you ever worked as a LCSC
14 representative?

15 A. No.

16 Q. Have you ever seen DOE & SONGS?

17 A. No.

18 Q. Have you ever seen ROS, RNS?

19 A. Not ROS, RNS.

20 Q. Look on page six, lines 13 through 18,
21 BellSouth has certain ordering systems that, if made
22 available to ALECs, would significantly reduce the
23 number and frequency of the OSS-related problems that
24 cause IDS's and other ALECs to provide adequate service
25 to their customers and their inability to effectively

1 compete for local telephone service business.

2 What systems are you referring to?

3 A. DOE & SONGS.

4 Q. How do you know that would significantly
5 reduce the number and frequency of OSS related
6 problems?

7 A. Based on what we have seen is that the
8 ordering, when they drop out of the system, is keyed in
9 manually by LCSC, so that would, in particular, if the
10 CLEC had access to DOE & SONGS, that would be their
11 responsibility to key in those orders, and they would
12 not rely on any BellSouth employees.

13 Q. Is that entire basis of your belief that it
14 would significantly reduce the number of OSS and
15 related problems?

16 A. Yes, OSS problems are in the ordering systems
17 once they get into the network systems they are for the
18 most part okay.

19 Q. Is it your belief that IDS was unable to
20 complete with the local ten phone service business?

21 A. Unable to compete, no.

22 Q. Or effectively compete?

23 A. Yes.

24 Q. Why is it that you cannot effectively
25 compete?

1 A. Because, one of the problems would be because
2 of ordering, because of OSS.

3 Q. Lack of DOE & SONGS?

4 A. The lack of a comparable system that
5 BellSouth uses.

6 Q. Is that based on any personal experience or
7 your understanding of the difference between the
8 BellSouth system and the CLEC system?

9 A. The latter.

10 Q. Look on page seven, line 17 and 18;
11 BellSouth's testimony on this subject for the most part
12 is non-responsive, evasive and misleading, why do you
13 believe that?

14 A. I think it goes on to say, in 18 through 22,
15 as to why.

16 Q. I know what it says. I want more
17 information. I want the reason why you believe it is
18 non-responsive, evasive and misleading? I would like
19 it explained more fully.

20 A. It is in here.

21 Q. I am trying to figure out if there is any
22 more information out there as to why you believe it is
23 non-responsive?

24 A. I think it says it in there. No where does
25 it deny they have systems that are available or could

1 implement better systems -- there is nothing in what I
2 read that says that.

3 Q. Look on page seven, line 21; when you say
4 they simply make excuses; What excuses are you
5 referring to?

6 A. In terms of not allowing access to DOE &
7 SONGS.

8 Q. Is that it, is that the only excuse you are
9 referring to?

10 A. In terms of a better OSS systems, yes.

11 Q. Page 18, lines two through ten; Mr. Wilson,
12 you are referencing Mr. Wilson's testimony regarding
13 capacity limitations, and our ability to expand DOE is
14 increasing, limited by the unavailability of necessary
15 equipment.

16 Lines five through seven, you state the
17 number of orders will be the same whether local service
18 requests are processed by the LCSC or ALECs enter the
19 requests directly through DOE and SONGS to generate an
20 order.

21 What is the basis for that statement?

22 A. On orders that fall out, the LCSC has to
23 enter those into DOE and SONGS to get them back into
24 the system. The orders that would have fallen out--
25 that the CLEC having access to DOE in this case, is

1 what we are talking about -- could enter them itself.
2 The LCSC is entering them, or the CLEC is entering
3 them, but it is the same order.

4 Q. Do you believe that addresses Mr. Wilson's
5 reason about the ability or limitation to expand DOE,
6 does that analysis or does that statement address his
7 concern?

8 A. He says capacity limitation?

9 Q. Right.

10 A. My point is that the capacity would be the
11 same whether BellSouth is doing it through LCSC, or the
12 CLECs are doing it themselves.

13 Q. How would the CLECs access DOE and SONGS?

14 A. They would get it on site. They would have
15 it on their site.

16 Q. How does that work?

17 A. I don't know.

18 Q. Do you know if there are any limitations to
19 the expansion of DOE or SONGS to the CLEC site?

20 MS. IKOFF: Objection to form.

21 A. The CLECs don't have access to it.

22 Q. Do you know if there are any limitations that
23 would prohibit or limit the expansion or putting DOE or
24 SONGS directly on the CLEC site?

25 A. I don't know.

1 Q. Look on page 18, lines 14 to 16; BellSouth
2 already has designed software in LENS, TAG and EDI
3 ordering system to prevent ALECs from reviewing other
4 ALECs orders.

5 What software were are you referring to?

6 A. I don't know the name of the software. I
7 know the capability is there.

8 Q. How do you know that?

9 A. Because in my access with LENS, if there is
10 another CLEC's order that is moving for example, to
11 IDS, you cannot see that CSR. While I was there, it
12 was BellSouth's policy not to allow the CLEC to see
13 anybody else's orders.

14 Q. Do you have any personal experience with TAG
15 or EDI?

16 A. No.

17 Q. Based upon your belief, while you worked at
18 BellSouth?

19 A. That--

20 Q. You have first hand knowledge regarding LENS?

21 A. Right. Then the policy was at BellSouth
22 while I was there, no orders -- the CLECs should not be
23 able to see the other CLECs orders.

24 Q. Is it fair to say that you had submitted
25 orders through LENS personally?

1 A. Yes.

2 Q. When was that?

3 A. The last time?

4 Q. Yes.

5 A. Some time last month.

6 Q. When was the first time?

7 A. December of 2000, January of 2001.

8 Q. Page 18 line 16 to Line 22; BellSouth has
9 shown it has already overcome the security risks posed
10 by the ALECs sharing the same systems as BellSouth
11 retail because the ALECs and BellSouth retail are both
12 using Trouble Analysis and Facilities Interface, TAFI,
13 for maintenance and trouble tickets. How do you know
14 that ALEC and BellSouth retail are both using TAFI?

15 A. It was discussed in the product team
16 meetings, and TAFI was the process that BellSouth
17 retail used for maintenance.

18 Q. Do you have first hand knowledge of that?

19 A. No.

20 Q. Do you know what security risks were posed by
21 the ALECs sharing the same system as BellSouth?

22 A. Sorry, I did not understand.

23 Q. What security risks are presented when an
24 ALEC shares the same system as BellSouth?

25 A. In terms of viewing other orders, each others

1 orders. In terms of the ordering system, the CLEC has
2 that opportunity, in terms of seeing other people's
3 orders or other people's trouble tickets.

4 Q. Or other people's customer base?

5 A. Right.

6 Q. How often, if you know, has BellSouth already
7 overcome the security risks posed by other CLECs
8 sharing the same system?

9 A. BellSouth and the CLECs are using TAFI, and
10 they should not be able to see each other orders. That
11 is a based on a policy at BellSouth while I was there,
12 that you don't view other people's orders.

13 Q. Do you know that for a fact?

14 A. No.

15 Q. Page 19, lines eight through nine; it states,
16 the ALECs would simply need the same training, slightly
17 modified, if given access to DOE & SONGS. This
18 training that you are referring to is the training that
19 the BellSouth LCSC representatives go through?

20 A. Yes.

21 Q. Who would give that training to the CLECs?

22 A. I guess the same group that currently gives
23 the training to the CLECs on training, a professional
24 service group.

25 Q. What portion of the training would be

1 applicable to the CLECs?

2 A. I don't know.

3 Q. How long of the training sessions would be
4 necessary, do you know?

5 A. I don't know.

6 Q. Would the CLECS have to pay for the training?

7 MS. IKOFF: Objection, call for speculation.

8 MR. MEZA: Okay.

9 A. There are some classes today that the CLECs
10 pay for and others that BellSouth provides free of
11 charge.

12 Q. If IDS had access to DOE and SONGS but needed
13 to be trained, would IDS expect BellSouth give that
14 training for free?

15 A. No.

16 Q. Look on the page 19. Mr. Wilson asserts that
17 while the nondiscriminatory interface for ALECs are
18 based on national standards, DOE/SONGS are not Ordering
19 and Billing Forum compliant. However, the Ordering and
20 Billing Forum, OBF, standards are not mandatory. OBF
21 members have the right not to adopt OBF recommendations
22 and BellSouth itself, is not an OBF complaint, in each
23 of its fields or forms. Is IDS OBF compliant in all of
24 its forms?

25 A. I have no idea.

1 Q. Is IDS an OBF member?

2 A. Yes.

3 Q. Has IDS ever refused to adopt an OBF
4 recommendation?

5 A. I don't know.

6 Q. Look on the page 19, line 21; Mr. Wilson is
7 comparing apples to oranges?

8 A. Go back up here. It is a reference to his
9 testimony on line 22; IDS chooses to primarily use LENS
10 interface, which does not offer the integration
11 capabilities of TAG, RoboTAG or EDI.

12 As I was talking about, there he is talking
13 about in terms of TAG or EDI and the integration
14 capabilities. He is saying that integration
15 capabilities exist, however, TAG and EDI, the front end
16 to TAG or EDI cannot create the same types of front end
17 that exists in BellSouth, because the ALECs and the
18 front end vendors that creates interfaces, do not have
19 access to the complete CSR record lay out.

20 Q. Is it your understanding that RoboTAG is
21 simply an electronics interface?

22 A. No. There are two corrections that need to
23 be made that I missed.

24 Q. Okay.

25 A. On 20 -- the integration capabilities of TAG

1 and RoboTAG should be stricken -- that is a quote and I
2 will leave it.

3 On mine, it starts on page 21, Mr. Wilson is
4 comparing apples to oranges, EDI scratch RoboTAG and
5 TAG.

6 Q. Is the comparison accurate for RoboTAG?

7 A. RoboTAG is I understand, a front end
8 interface to TAG is similar to the other front end,
9 such as CHECWARE or other vendor type offerings.

10 Q. You understand, or do you know if RoboTAG,
11 itself, allows for the interfacing of the CLEC system
12 to the BellSouth system?

13 A. My understanding -- ask that again?

14 Q. What is your understanding of RoboTAG?

15 A. RoboTAG is a front end GUI interface to TAG
16 which is one of the three electronics gateways that are
17 variables to the CLECs.

18 Q. A GUI interface, what does it do?

19 A. It allows for the input of orders.

20 Q. That is different from LENS?

21 A. It is another way of doing it. There are
22 different fields as opposed to TAG or that need to be
23 populated as opposed to LENS.

24 Q. You don't think LENS is a front end system?

25 A. Yes, it is a front end system. What he is

1 talking about here is that he did not talk about the
2 integration capabilities.

3 Q. How do you know that BellSouth would not
4 provide ALECs with a full record layout of BellSouth
5 Customer Service Records?

6 A. IDS has asked and our vendor, MANTISS had
7 asked.

8 Q. What were they told?

9 A. That no ILECs be given that -- no ILECS be
10 given a full record layout of the YSR.

11 Q. Look on page 25, lines 15 through 17:

12 You state that the conversion of a BellSouth
13 retail or IDS resale customer to UNE-P, is nowhere as
14 difficult as the complex move of a customer from basic
15 service to Centrex.

16 A. The knowledge of what the basic local
17 expansion retail, resale, UNE-P and Centrex are.

18 Q. How did you obtain your basic knowledge of
19 retail?

20 A. It is the same thing as resale.

21 Q. As far as ordering or just in general?

22 A. Not as far as ordering goes, but as far as
23 what the service is.

24 Q. How did you become familiar with resale, were
25 you ever a product manager of resale?

1 A. No.

2 Q. How did you become familiar with it?

3 A. Because of the conversions from -- excuse
4 me -- retail or resale to UNE-P.

5 Q. Page 25, line 21 through 22; You talk about
6 more comparable to converting a BellSouth retail
7 customer from flat rate service to measured rate
8 service.

9 What is the effect of that change?

10 A. From flat rate to measured rate; it is a
11 change in the basic class of service from flat rate to
12 measured rate -- there are USOC changes from one FB to
13 MB generally, and they are others. And that on a
14 measured rate recording, it has to be compiled so that
15 they can bill the end user the measured rate for
16 measured rate service.

17 Q. Explain to me the flat rate?

18 A. The flat rate is a service where any local
19 calls that you make or you can make are unlimited -- an
20 unlimited amount of local calls for a certain amount of
21 money a month.

22 Q. For the measured rate you charge per call?

23 A. Per local call.

24 Q. Where did you obtain this knowledge about
25 BellSouth retail customers converting, and the

1 difference between the flat rate and measured rate, how
2 did you obtain this knowledge?

3 A. Between what flat rate customer?

4 Q. The retail side?

5 A. In terms of classes that were taken, it is
6 basic; at BellSouth there was a push in the early 90s
7 to move everybody in the BellSouth region to measured
8 rate service and so we all moved to measured rate
9 service, and because my UNE-P product is basically a
10 measured rate service.

11 Q. Does that happen frequently? Do you know if
12 the business retail customer will often change from a
13 flat rate to measured rate?

14 A. I don't know.

15 Q. Page 26, line four to five: When a BellSouth
16 retail flat rate customer contacts BellSouth and wants
17 to change to BellSouth retail measured rate service,
18 the service representative enters a single "C" order.
19 This order changes the class of service the customer
20 had from flat rate to measured rate and notifies the
21 switch to start recording calls so that BellSouth can
22 bill measured rates to the customer.

23 How do you know that?

24 A. Actually, in reading this testimony, I
25 thought about this and I asked Ms. Wellman how it was

1 done. She said that usually they issue a single order.
2 Okay, so, this was about -- I don't know when -- some
3 time last week or the week before, I called the
4 BellSouth business office and I asked, if I move from a
5 flat rate to measured rate, am I going to lose the dial
6 tone.

7 Q. How do you come to the conclusion that they
8 use the Single C?

9 A. Well, no, you are not going to lose the dial
10 tone. I have some knowledge as to how this thing is
11 processed.

12 Q. What do they--

13 A. She usually issues an order that moves it
14 from flat rate to measured rate.

15 Q. Do you know for a fact they don't use D&N?

16 A. No. They issue an order.

17 Q. You are interpreting that they don't use D&N,
18 but they did not say they use the Single C process?

19 A. No.

20 Q. Who did you speak with?

21 A. I don't know. I probably called the number
22 in front of the phone book.

23 Q. When did you call?

24 A. I don't know the exact date but within the
25 last three weeks.

1 Q. Becky Wellman told you that it was the Single
2 C that she used to from the BellSouth flat rate to the
3 BellSouth measured rate service, right?

4 A. Correct.

5 Q. You called up the BellSouth business office
6 to confirm, and they tell you they issue an order?

7 A. Correct.

8 Q. But they do not tell you that a Single C
9 order will be submitted?

10 A. Correct.

11 Q. Do you know if line class codes are changed
12 when converting -- when changing from BellSouth flat to
13 BellSouth measured?

14 A. No.

15 Q. Do you know if daily usage files have to be
16 created when a customer moves from BellSouth flat to
17 BellSouth measured?

18 A. I don't know if they are called daily usage
19 files, but files are created to capture what is being
20 measured so the customer can be billed.

21 Q. Do you know what they are called?

22 A. No.

23 Q. You know they are not called a daily usage
24 file?

25 A. I don't know -- they may be -- but the daily

1 usage term, as I understand it is a UNE term but it may
2 be a retail term.

3 Q. How did you obtain that knowledge?

4 A. I have knowledge of how the measured rate
5 service is priced. I had it.

6 Q. You know there are certain files created that
7 when you go from flat to measured files, have to be
8 created?

9 A. Yes.

10 Q. You know when you go from resale or retail to
11 UNE-P, there are certain files that have to be created?

12 A. There are certain records, call records that
13 have be captured.

14 Q. At least in the UNE-P context, we know those
15 are called daily usage files?

16 A. Correct.

17 Q. You don't know what they are called on the
18 retail side?

19 A. That is correct. They could be the same
20 records. I don't know what they are called.

21 Q. How do you know they are the same records?

22 A. They are AMA records -- that is what the
23 switch records.

24 Q. Again, you obtained your knowledge about the
25 retail portion of it through -- how did you come to

1 that knowledge?

2 A. The AMA records.

3 Q. On the retail side?

4 A. We discussed it in the product team. Those
5 were the same ones that we talked about in the UNE-P,
6 that is, what recordings needed to be turned on, the
7 same recordings for billing purposes.

8 Q. How do you know that when a customer changes
9 from flat to measured, a final bill is issued?

10 A. Flat to measured?

11 Q. BellSouth retail?

12 A. I don't think that is what that says.

13 Q. Okay, do you know if when the customer moves
14 from retail to resale, a final bill is issued?

15 A. Yes.

16 Q. You know that?

17 A. Yes.

18 Q. How do you know that?

19 A. Because the customer of record has changed.

20 Q. How do you know the same type of systems that
21 are used in retail to resale conversion can be used to
22 create final billings on switching to UNE-P?

23 A. The question was, how do I know the same
24 systems could be used? It is FID.

25 Q. How do you know that?

1 A. We discussed this in terms of when we were
2 looking at Single Cs for UNE-P.

3 Q. Look on page 28, Lines 18 through 19; ALECs
4 had been unsuccessful in their own attempts to get
5 their orders through BellSouth's EDI. Which ALECs are
6 you referring to?

7 A. Access 1 and Access Integrated.

8 Q. How do you know that?

9 A. After the testimony was given, I knew they
10 were unsuccessful in getting their orders through,
11 which is why BellSouth agreed to do the orders. That
12 much I knew from what we were doing. The next question
13 as to why, what systems they were using, so called
14 them.

15 Q. Do you know why they were unable to get their
16 orders through?

17 A. No.

18 Q. Look on the page before and I asked you that,
19 were you involved in anyway with the implementation or
20 development or roll out of the bulk ordering feature?

21 A. No.

22 Q. Page 30, line 20 to 22, you state: I cannot
23 imagine that, without checkpoints in BellSouth's
24 internal operations, the bulk ordering functionality
25 could have been released inadvertently. What check

1 points are you referring to?

2 A. I T testing; User Acceptance Testing; Go, No
3 Go Decisions, the release of carrier notification
4 letters, all those things are involved in the releasing
5 of that software.

6 Q. Do you know when all those tests were done in
7 the bulk ordering feature?

8 A. According to BellSouth, to the people we
9 deposed that work for BellSouth, that were involved
10 they said they were.

11 Q. When you say, I cannot imagine, is it your
12 position and testimony that it is impossible that a
13 mistake occurred?

14 A. Nothing is impossible.

15 Q. You cannot rule out that a mistake occurred?

16 A. Like it says here, I can't imagine it would.

17 Q. Do you know if definitively if the bulk
18 ordering features were released, not because of a
19 mistake?

20 A. No.

21 Q. Were you involved in the decision to
22 BETA-test with IDS?

23 A. No.

24 Q. Were you involved with the decision or
25 announcement of the availability of the bulk ordering

1 feature at the CLEC INFORUM?

2 A. No.

3 Q. Were you involved with the BETA-test of the
4 bulk ordering feature with Access One and Access
5 Integrated?

6 A. No.

7 Q. Are you saying that BellSouth intentionally
8 released the bulk ordering feature, knowing that it did
9 not work?

10 A. Somebody knew that it did not work. From the
11 testimony that we have heard, there were a number of
12 people that knew it did not work.

13 Q. You were a BellSouth employee then, is it
14 your belief that BellSouth was in the habit of rolling
15 out products that they knew did not work?

16 A. No.

17 Q. Has anybody at IDS asked you if you might
18 have any document that may be responsive, has anybody
19 at IDS asked you if you had any documents that may be
20 responsive to BellSouth discovery request?

21 A. No.

22 MR. MEZA: No further questions. Do you have
23 any questions?

24 MR. CASEY: No.

25 MS. IKOFF: I have some brief questioning, .

CROSS EXAMINATION

BY MS. IKOFF:

Q. Mr. Gulas, was the bulk ordering feature ever discussed between Ms. Tate and Mr. Kramer?

A. Yes.

Q. Where did that discussion take place?

A. In Miami.

Q. So, if Mr. Kramer testified it took place in Atlanta, would he be mistaken?

A. I don't recall it happening in Atlanta.

MS. IKOFF: Nothing else.

MR. MEZA: One question.

REDIRECT EXAMINATION

BY MR. MEZA:

Q. What was said regarding the bulk ordering feature wherever it was, Atlanta or Miami, if the discussion was centered around ordering, and Linda asked, what are you using to submit your orders, and the response was, we are using the V. She said, why aren't you using the W? Because bulk ordering was turned off. She said, bulk ordering was turned off but the W functionality was not.

Q. Did she say anything else?

A. No.

MR. MEZA: No further questions.

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(Thereupon, the deposition was concluded.)

CERTIFICATE OF NOTARY

STATE OF FLORIDA:

SS.

COUNTY OF DADE:

I, ILENE J. POMERANZ, a Shorthand Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that I reported in shorthand the deposition of William Gulas, a witness called by BellSouth in the above-styled cause; that the witness was first duly sworn by me; that the reading and signing of the deposition was not waived by the witness; that the foregoing pages, numbered 1 to 107, inclusive, constitute a true record.

I further certify that I am not an attorney or counsel of any of the parties, nor related to any of the parties, nor financially interested in the action.

WITNESS my Hand and Official seal this 17th day of September 2001.



ILENE POMERANZ

Notary Public - State of Florida

My Commission No. CC 825724

Expires: May 30, 2003