



ORIGINAL

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December 10, 1998

Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 980986-TP
Complaint of Intermedia Communications Inc. against GTE Florida Incorporated
for breach of terms of Florida Partial Interconnection Agreement under Sections
251 and 252 of the Telecommunications Act of 1996, and request for relief

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of the Direct Testimonies of Howard
Lee Jones and Steven J. Pitterle on behalf of GTE Florida Incorporated for filing in the
above matter. Service has been made as indicated on the Certificate of Service. If
there are any questions regarding this filing, please contact me at (813) 483-2617.

Sincerely,

Kimberly Caswell

KC:tas
Enclosures

A part of GTE Corporation

RECEIVED & FILED

FPSO-BUREAU OF RECORDS

Jones
DOCUMENT NUMBER-DATE

13910 DEC 10 88

FPSO-RECORDS/REPORTING

Pitterle
DOCUMENT NUMBER-DATE

13911 DEC 10 88

FPSO-RECORDS/REPORTING

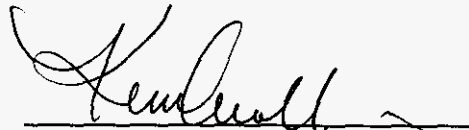
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the Direct Testimonies of Howard Lee Jones and Steven J. Pitterle on behalf of GTE Florida Incorporated in Docket No. 980986-TP were sent via U. S. mail on December 10, 1998 to the following:

Martha Brown, Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Donna L. Canzano
Patrick Knight Wiggins
Wiggins & Villacorta, P.A.
2145 Delta Boulevard, Suite 200
Tallahassee, FL 32302



Kimberly Caswell

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Complaint of Intermedia Communications,)
Inc. against GTE Florida, Inc. for breach of terms)
of Florida partial interconnection agreement under)
Sections 251 and 252 of the Telecommunications)
Act of 1996 and request for relief)
_____)

DOCKET NO. 980986-TP

DIRECT TESTIMONY OF
HOWARD LEE JONES
ON BEHALF OF
GTE FLORIDA INCORPORATED

DECEMBER 10, 1998

DOCUMENT NUMBER-DATE

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GTE FLORIDA INCORPORATED

TESTIMONY OF HOWARD LEE JONES

DOCKET NO. 980986-TP

Q. PLEASE STATE YOUR NAME AND ADDRESS.

A. My name is Howard Lee Jones and my business address is 450 East Carpenter Freeway, Irving, Texas 75062.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by GTE Service Corporation as Senior Group Marketing Manager - Network Services.

Q. PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE IN THE TELECOMMUNICATIONS INDUSTRY.

A. I graduated from Ripon College in Ripon, WI with a BA in Economics in 1973. I also obtained an MBA from the University of Wisconsin - Whitewater in 1978.

I began my career with GTE in March 1979 as a Forecast Analyst in Marketing Services and continued through various assignments in Information Systems and Economic Analysis/Pricing until 1989. At that time, I became Product Manager - Special Access / Data Services, and have since proceeded through various promotions to

1 my current position of Senior Group Marketing Manager for the
2 Internet Service Provider Market Segment.

3

4 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE REGULATORY**
5 **COMMISSIONS?**

6 A. Yes. In the late 1980's I testified before the Michigan, Missouri, and
7 Tennessee Public Utility Commissions on various tariff matters,
8 including data transmission facilities, operator services, and burglar
9 alarm circuitry. I have also been very active in many federal access
10 charge proceedings since 1989, including Docket 91-141
11 (Collocation), 91-213 (Local Transport Restructure) and 96-263
12 (Notice Of Investigation - Public Switched Network Usage by Internet
13 Access Providers). I have contributed to GTE comments in all of
14 these dockets. On July 8, 1998 I submitted testimony in an
15 arbitration case for GTE Southwest in New Mexico.

16

17 **Q. PLEASE SUMMARIZE YOUR RESPONSIBILITIES AS SENIOR**
18 **GROUP MARKETING MANAGER - DATA INFRASTRUCTURE.**

19 A. I am responsible for all products and services sold by GTE local
20 exchange companies to the Internet Service Provider ("ISP") market
21 segment. This includes, but is not limited to, CyberPOP™ (a modem
22 aggregation for Internet user dial access) and CyberWAN™ (a router
23 for aggregation of ISP special access lines). CyberPOP™ and
24 CyberWAN™ are interstate-only services, since the transmission
25 paths are uninterrupted from end user to ISP backbone.

1 Q. **WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

2 A. I will describe the functional nature of the Internet service provider
3 (ISP) traffic at issue in the complaint by Intermedia Communications,
4 Inc. (ICI) that gave rise to this proceeding. I will address the technical
5 components of this Internet-destined traffic in the context of
6 equipment generally employed and the actual transmission paths
7 involved. The resulting picture of ISP traffic will demonstrate that this
8 traffic is undeniably interstate in nature, in contrast to standard call
9 completions within the local exchange.

10

11 Q. **PLEASE SUMMARIZE YOUR TESTIMONY.**

12 A. Calls to the Internet transmitted through any sequence of analog,
13 digital or packet transport technologies are not local calls. They are
14 functionally interexchange and interstate and must be classified this
15 way for jurisdictional purposes, as GTE witness Pitterle explains in his
16 Direct Testimony.

17

18 Q. **HOW IS A TYPICAL LOCAL EXCHANGE CALL COMPLETED?**

19 A. An end user dials seven or ten digits to reach another end user within
20 the local exchange, and the entire transmission path, and all
21 equipment used and all information exchanged, remain within the
22 geographic boundary of that local exchange.

23

24 Q. **HOW IS A TYPICAL DIAL ACCESS CONNECTION TO AN**
25 **INTERNET INFORMATION DESTINATION COMPLETED?**

1 A. If the user employs a common analog modem in his computer, a
2 seven or ten digit call is originated by the user's telephone service
3 through the user modem to an aggregation modem at an ISP location.
4 The aggregation modem extends or passes on that call, an analog or
5 digital signal stream, into Transmission Control Protocol/Internet
6 Protocol ("TCP"/"IP") packet stacks, which are transmitted across
7 further telecommunications facilities to the ultimate information source
8 web server or host device. The connection is established as user
9 modem-to-web/host server, and intermediate log-ins and/or search
10 functions do not detract from this end result.

11

12 **Q. ARE THERE EQUIPMENT COMPONENTS BEYOND USER**
13 **MODEMS AND ISP AGGREGATION MODEMS?**

14 A. Yes. The ISP aggregation modems feed traffic to IP routers that
15 direct traffic in a hierarchical pattern to other IP routers until the host
16 or information repository server is accessed. There may be as many
17 as 50 of these IP routers in a given transmission path, but these
18 routers do not affect or alter the content of the transmission. It is also
19 possible to access various devices for search or traffic address
20 referencing, but these do not alter the ultimate information connection
21 from computer user modem to web/host server.

22

23 **Q. WHAT IS THE GEOGRAPHICAL CONTEXT OF THIS COMPUTER**
24 **TO WEB/HOST SERVER TRANSMISSION PATH?**

25 A. In a typical Internet call, traffic passes through up to four National

1 Access Points for U.S. domestic connections, and an additional
2 number of points for international connections. For America On Line
3 customers, almost all traffic passes through Fairfax, Virginia prior to
4 connection. For other providers, the interconnection points with the
5 web Internet backbone(s) may be more numerous, but not in excess
6 of five nationwide. The conclusion is that these connections are
7 interstate in jurisdiction and differ from local exchange traffic in that
8 the transmission path ends out-of-state in the vast majority of cases.

9
10 The similarity between Internet calls and long distance voice calls can
11 be seen by comparing a diagram of a typical Internet call, attached
12 hereto as Exhibit HLJ-1, to a diagram of a typical long distance "plain
13 old telephone service" call, attached hereto as Exhibit HLJ-2.

14

15 **Q. WHY DOES A NETWORK TRANSMISSION PATH FROM AN END**
16 **USER MODEM TO AN ISP MODEM NOT TERMINATE AT THE ISP**
17 **MODEM?**

18 The ISP modem does not functionally terminate one transaction with
19 the user modem and begin another as queries are launched to the
20 Internet. Since no information or interactive service exists at the ISP
21 modem (including user log-in databases or home pages) no
22 transaction can occur at the ISP modem. A user who has only
23 reached the ISP modem has not completed a transmission path to a
24 place where information services could be obtained. Traffic that only
25 goes between the user modem and the ISP is strictly limited to

1 handshake and software comparison exchanges. In this exchange,
2 handshake refers to trial tones that are sent from one modem to the
3 other until matching speeds are obtained. Then, software
4 comparisons are exchanged to set the data format parameters for
5 subsequent transmissions. The only result of handshake and
6 software exchanges is to allow for construction of a path from the user
7 modem to a point beyond the ISP modem, the first of which is usually
8 a path to a distant Security Server for login. The ISP modem is
9 performing a function analogous to call forwarding, with the call
10 translated into a differently engineered transmission medium.

11

12 **Q. WHY ARE ISP MODEMS USED AT LOCAL ISP SITES?**

13 A. The ISP modem has no information service function, but is inserted
14 in the transmission path as early as possible by the ISP to reduce the
15 capacity required to be carried to the servers or ultimate destination
16 of the user. As such, the ISP modem could be (as with 1-800 dialed
17 ISP access) several states away without affecting user experiences.
18 The end user is not at rest or present only at the ISP modem during
19 any part of the Internet session. Successive searches or connections
20 to different web sites do not tear down the transmission path all the
21 way back from one web site to the ISP modem and then set up a new
22 path to a new web site. The routers within the Internet handle this
23 activity.

24

25

1 **Q. ARE THERE EXTENUATING INTERNET MARKET STRUCTURE**
2 **PRACTICES WHICH ARE RELEVANT TO THIS COMMISSION'S**
3 **CONSIDERATION OF THE ISSUE IN THIS CASE?**

4 A. Yes. If the Commission decides (contrary to the FCC's ruling that Mr.
5 Pitterle discusses) that calls to ISP local telephone numbers are local
6 calls, then they must consider that many of these local directory
7 numbers do not connect through at ISP modems within the local
8 calling scope. Dialed traffic to seven digit dialed numbers of ISPs is
9 often hauled, unaltered, to distant sites for connection to ISP "mega
10 modem" equipment. While the user perceives that his call is locally
11 attached to an ISP modem, it can be attached to an ISP modem
12 hundreds of miles or several states away.

13
14 **Q. WHAT IS THE RELEVANCE OF THESE MARKET STRUCTURE**
15 **CONSIDERATIONS?**

16 A. As Mr. Pitterle describes in more detail, it would be a mistake to
17 classify any of the ISP traffic at issue as jurisdictionally local.
18 However, even if the Commission determines that ISP traffic
19 "terminates" at the ISP's modem, as ICI advocates, the Commission
20 must recognize that the situation I have described above does not fall
21 within this "termination" rationale. While the practice of transporting
22 dialed Internet traffic across toll and state boundaries is not universal,
23 the volumes involved are significant enough to require exceptional
24 treatment.

25

1 Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

2 A. Yes it does.

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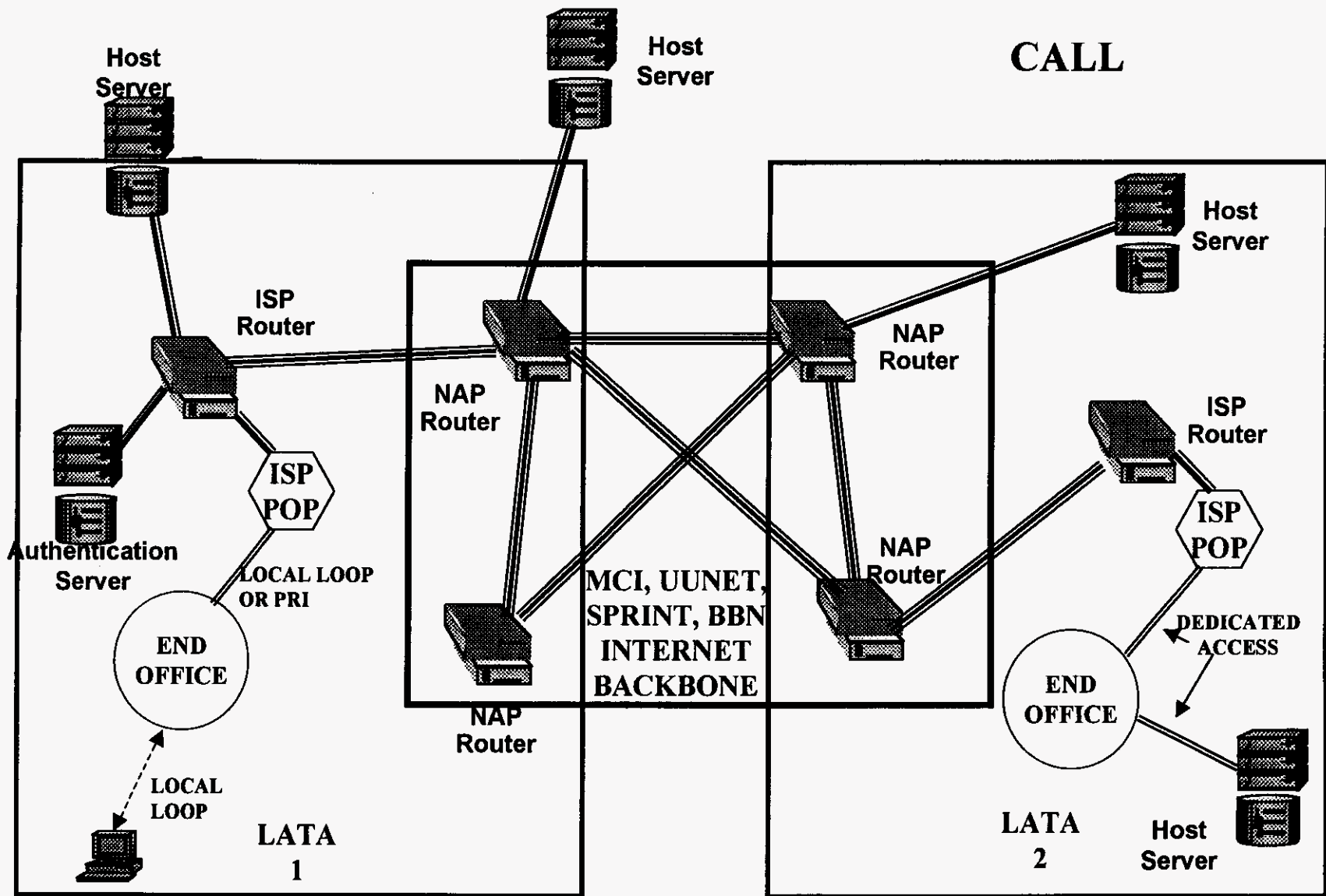
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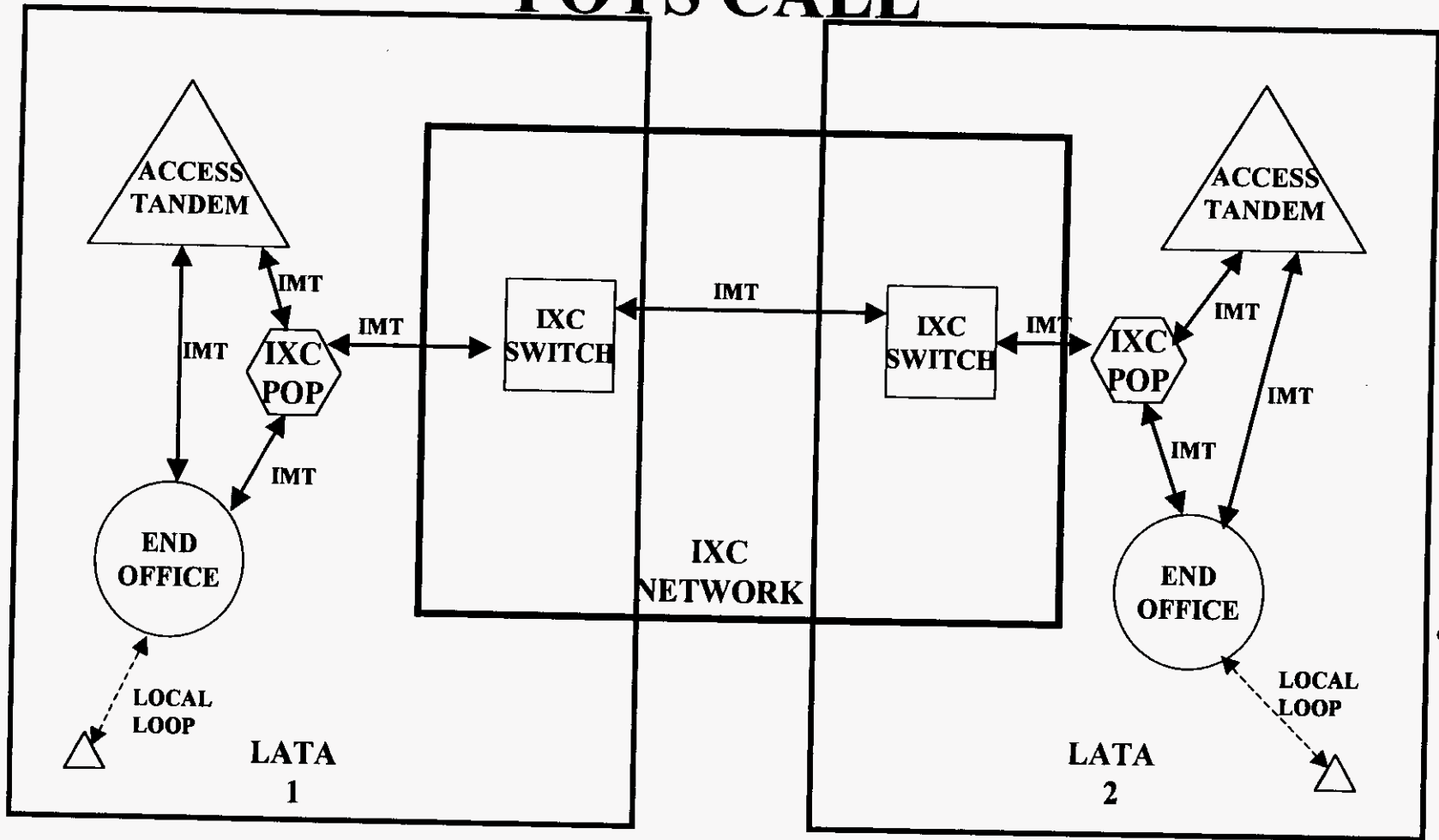
TYPICAL INTERNET

CALL



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TYPICAL LONG DISTANCE POTS CALL



IMT=INTER-MACHINE TRUNKS

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