BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by ITC^DeltaCom   :
Communications, Inc., d/b/a   :DOCKET NO 99750-TP
ITC^DeltaCom for arbitration of   :
certain unresolved issues in   :
interconnection negotiations   :
between ITC^DeltaCom and   :
BellSouth Telecommunications,   :
Inc.   :
                                            :
_____   :

SECOND DAY -- EVENING SESSION

VOLUME 7

Pages 978 through 1064

PROCEEDINGS: ARBITRATION

BEFORE: COMMISSIONER SUSAN F. CLARK
                                COMMISSIONER E. LEON JACOBS

DATE: Thursday, October 28, 1999

TIME: Commenced at 9:30 a.m.

PLACE: Betty Easley Conference
                                Center, Room 152
                                4705 Esplanade Way

REPORTED BY: CATHY H. WEBSTER, RPR
                                COURT REPORTER
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APPEARANCES:

     (As heretofore noted.)

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WITNESSES - VOLUME 7

NAME   PAGE NO.

D. DAONNE CALDWELL

DAVID SCOLLARD

                   EXHIBITS - VOLUME 7

NUMBER   ID.   ADMTD.

P R O C E E D I N G S

(Transcript follows in proper sequence from Volume 6.)

WHEREUPON,

DORIS DAONNE CALDWELL

was called as a witness on behalf of BellSouth and, having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. ALEXANDER:

Q   Ms. Caldwell, would you state your full name and business address for the record, please?

A   My full name is Doris Daonne Caldwell, 675 West Peachtree Street, Atlanta, Georgia.

Q   And, Ms. Caldwell, are you the same Daonne Caldwell that caused to be prefiled direct testimony on August 16th, 1999, consisting of 14 pages in this proceeding?

A   Yes.

Q   And did you have attached to that direct testimony I believe five exhibits?

A   Correct.

Q   And at any time were those exhibits revised?

A   Yes.

Q   Which exhibits were revised and when?

A   I believe Exhibits 2, 3 and 4, and they were

1 revised on October the 18th.

2   Q   And, specifically, they're labeled Exhibit

3 DDC-2 and was that entire exhibit revised?

4   A   Yes.

5   Q   And Exhibit DDC-3, was that also entirely

6 revised on October 18th?

7   A   Yes.

8   Q   And with respect to Exhibit DDC-4, was that

9 just partially revised, just certain pages?

10   A   Just certain pages. It was Bate stamped and we

11 just replaced the revised Bate-stamped pages.

12   Q   And those revised exhibits were filed with the

13 Commission you said on October 18th?

14   A   Correct.

15   Q   Are any of those exhibits proprietary?

16   A   Yes. Exhibit DDC-1 and then Exhibit DDC-4.

17   Q   Ms. Caldwell, do you have any -- Excuse me.

18 Let me go back.

19   You are employed by BellSouth. Can you please

20 describe your position and what responsibilities you

21 have?

22   A   Yes. I am employed by BellSouth

23 Telecommunications. I am a Director in the Finance

24 Department. My responsibilities are for cost

25 methodology, cost study production, and filing with the

1 commissions and also the cost witness.

2   Q   I was going to ask you is it fair to describe

3 you as the cost witness in this case.

4   Do you have any changes, corrections or

5 additions to make to your prefiled direct testimony?

6   A   Yes, I do; one change.

7   Q   And what is that?

8   A   On page 12 lines 23 and 24, starting on 23,

9 just place a period after "DDC-5," and take out "and the

10 rates provided in Mr. Varner's testimony reflect these

11 costs."

12   Q   That was page 12, lines 23 through 24?

13   A   Correct.

14   Q   And you're putting a period -- I'm sorry; would

15 you say the change again?

16   A   After "DDC-5," you place a period to end the

17 sentence, and take out the words "and the rates provided

18 in Mr. Varner's testimony reflect these costs."

19   Q   Okay. Thank you. After the exhibits, the

20 Exhibits DDC- -- excuse me -- DDC-2, -3, -4 were revised,

21 do you have any changes to those exhibits?

22   A   I do not.

23   MR. ALEXANDER: At this time I would ask that

24 Ms. Caldwell's -- Let me back up. I'm getting ahead of

25 myself again.

1 BY MR. ALEXANDER (Continuing):

2   Q   Ms. Caldwell, if I were to ask you the same

3 questions that appear in your prefiled direct testimony,

4 would your answers be the same today?

5   A   Yes, they would.

6   MR. ALEXANDER: At this time I would like to

7 ask that Ms. Caldwell's direct testimony and her five

8 exhibits attached thereto be admitted in this proceeding.

9   COMMISSIONER CLARK: The prefiled testimony

10 will be admitted in the record as though read.

11   We will mark DDC 1 through 5 as revised as

12 Exhibit 25.

13   And we will also move into the record Exhibit

14 24, which we neglected to do.

15   (Exhibit 25 marked for identification.)

16   (Exhibit 24 received into evidence.)

17   MR. ALEXANDER: I was going to ask you also,

18 Commissioner, if we can move I believe into admission

19 Exhibit 23 from an earlier witness as well. I'm not sure

20 I did that.

21   COMMISSIONER CLARK: We didn't move it into the

22 record. We were going to give Mr. Adelman an opportunity

23 to understand that he had the correct copies of the

24 exhibit. Has that been done?

25   MR. ALEXANDER: And I provided him --

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 1          MR. ADELMAN:  And we did clear that up.  So, I
 2  have no objection.
 3          COMMISSIONER CLARK:  All right.  Then Exhibit
 4  23 will be admitted in the record.
 5          (Exhibit 23 received into evidence.)
 6          MR. ALEXANDER:  And you did 24 as well; is that
 7  right?
 8          COMMISSIONER CLARK:  Correct.
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1 **BELLSOUTH TELECOMMUNICATIONS, INC.**

2 **DIRECT TESTIMONY OF D. DAONNE CALDWELL**

3 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

4 **DOCKET NOS. 990750-TP**

5 **August 16, 1999**

6

7

8 **Q. PLEASE STATE YOUR NAME, ADDRESS AND OCCUPATION.**

9

10 A. My name is D. Daonne Caldwell. My business address is 675 W. Peachtree St.,

11 N.E., Atlanta, Georgia. I am a Director in the Finance Department of BellSouth

12 Telecommunications, Inc. (hereinafter referred to as "BellSouth" or "the

13 Company"). My area of responsibility relates to economic costs.

14

15 **Q. PLEASE PROVIDE A BRIEF DESCRIPTION OF YOUR EDUCATIONAL**

16 **BACKGROUND AND WORK EXPERIENCE.**

17

18 A. I attended the University of Mississippi, graduating with a Master of Science

19 Degree in mathematics. I have attended numerous Bell Communications

20 Research, Inc. ("Bellcore") courses and outside seminars relating to service cost

21 studies and economic principles.

22

23 My initial employment was with South Central Bell in 1976 in the Tupelo,

24 Mississippi, Engineering Department where I was responsible for Outside Plant

25 Planning. In 1983, I transferred to BellSouth Services, Inc. in Birmingham,

1   Alabama, and was responsible for the Centralized Results System Database. I

2   moved to the Pricing and Economics Department in 1984 where I developed

3   methodology for service cost studies until 1986 when I accepted a rotational

4   assignment with Bellcore. While at Bellcore, I was responsible for development

5   and instruction of the Service Cost Studies Curriculum including courses such as

6   "Concepts of Service Cost Studies", "Network Service Costs", "Nonrecurring

7   Costs", and "Cost Studies for New Technologies". In 1990, I returned to

8   BellSouth and was appointed to a position in the cost organization, which is now a

9   part of the Finance Department, with the responsibility of managing the

10   development of cost studies for transport facilities, both loop and interoffice. My

11   current responsibilities encompass testifying in cost-related dockets, cost

12   methodology development, and the coordination of cost study filings.

13

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

15

16 A. The purpose of my testimony is to respond to the cost aspects of the following

17   issues:

18

19   **Staff Issue 38 [ITC^DeltaCom Issue 6(a)] What charges, if any, should**

20   **BellSouth be permitted to impose on ITC^DeltaCom for BellSouth's OSS?**

21

22   **Staff Issue 39 [ITC^DeltaCom Issue 6(b)] What are the appropriate recurring**

23   **and non-recurring rates and charges for:**

24   **(a) Two-wire ADSL/HDSL compatible loops,**

25   **(b) Four wire ADSL/HDSL compatible loops, or**

1   **(c) Two-wire SL1 loops?**

2

3   **Staff Issue 40 [ITC^DeltaCom Issue 6(b)] (a) Should BellSouth be required**

4   **to provide:**

5   **1) two-wire SL2 loops or**

6   **2) two-wire SL2 loop Order Coordination for Specified Conversion Time?**

7   **(b) If so, what are the appropriate recurring and nonrecurring rates and**

8   **charges?**

9

10   In order to do so, I present the cost study results for the network capabilities

11   contained in the aforementioned issues. However, the cost studies are limited to

12   those elements for which the Florida Public Service Commission ("Commission")

13   has not already established rates. Additionally, I describe the underlying cost

14   methodology used in the studies. The studies are filed in paper form with this

15   testimony as Exhibits DDC-1, DDC-2, and DDC-3. Exhibit DDC-1 includes an

16   executive overview, a summary of results, element descriptions, factor

17   development, TELRIC Calculator© input and outputs, and investment

18   development work papers for Service Level (SL)1 and SL2 loops and associated

19   elements. Exhibit DDC-2 provides an executive overview including element

20   descriptions, and Exhibit DDC-3 contains the study results and the TELRIC

21   Calculator© input and outputs for Operations Support Systems (OSS). BellSouth

22   witness, Mr. Al Varner, addresses the rates BellSouth is proposing.

23

24

_____

25

1   Exhibit DDC-1 is also provided on CD-ROM which is labeled Caldwell Exhibit

2   DDC-1, and the OSS cost study is provided on CD-ROM that is labeled Caldwell

3   Exhibit DDC-4. A paper copy of DDC-4 will be provided at a later date.

4

5 **Q. HAS BELLSOUTH FILED COST STUDIES FOR ALL THE NETWORK**

6   **CAPABILITIES REQUESTED IN THE PETITION FOR ARBITRATION?**

7

8 A. No. This Commission has already established rates for a number of elements

9   included in the petition. Issues 39 and 40 [ITC^DeltaCom Issue 6(b)] concern the

10   appropriate recurring and nonrecurring rates and charges for BellSouth

11   ADSL/HDSL, two-wire and four-wire ADSL/HDSL, two-wire SL1, two-wire

12   SL2, and two-wire SL2 Order Coordination for Specified Conversion Time. In its

13   Order No. PSC-98-0604-FOF-TP, this Commission established recurring and

14   nonrecurring rates for two-wire ADSL compatible loops, two-wire HDSL

15   compatible loops, and four-wire HDSL loops. Thus, there is no reason to revisit

16   the ADSL/HDSL costs upon which these rates were based. Therefore, BellSouth

17   is only presenting cost studies for the network capabilities for which rates have not

18   already been established, i.e., two-wire SL1 loops, two-wire SL2 loops, and two-

19   wire SL2 Order Coordination for Specified Conversion Time.

20

21   Additionally, to address Issue 38 [ITC^DeltaCom Issue 6(a)] pertaining to the

22   charges BellSouth should be permitted to impose on ITC^DeltaCom for OSS,

23   BellSouth is submitting the cost study results for the development and

24   implementation of the OSS Electronic Interfaces which were previously filed on

25   December 3, 1998 in Docket No. 981052-TP.

1

2 **Q. PLEASE DESCRIBE SL1 AND SL2 LOOPS.**

3

4 A. These cost elements represent the physical transmission facilities (or channel or

5 group of channels on such facilities) which extend from the main distributing

6 frame connection in the end office to a demarcation point at the customer's

7 premises (i.e., the network interface device or NID). The SL1 facility is provided

8 as a nondesigned circuit. The SL2 facility is provided as a designed circuit and

9 includes a test access point. While both service level loops can be used for the

10 provision of local exchange service, SL1 would equate more to "POTS like"

11 service and SL2 would equate more to the unbundled loop currently approved and

12 offered to Alternative Local Exchange Carriers ("ALECs") in Florida.

13

14 The option "order coordination for specified conversion time" is offered only on

15 SL2 loop types. This option is explained in BellSouth witness, Mr. Varner's,

16 testimony.

17

18 **Q. PLEASE PROVIDE A BRIEF DESCRIPTION OF THE OSS**

19 **ELECTRONIC INTERFACES AND ORDER PROCESSING COST**

20 **ELEMENTS.**

21

22 A. The OSS Electronic Interfaces are the systems that BellSouth developed

23 specifically to provide ALECs with the ability to transmit a local service request

24 ("LSR") electronically. These interfaces allow the ALEC to mechanically access

25 BellSouth's existing order processing systems. Both resale and unbundled

1   network element ("UNE") LSRs can be transmitted via the interface.

2   The OSS Electronic Interfaces – Development and Implementation cost element

3   includes the labor costs for the systems development and software costs.

4

5   LSR processing falls into two categories, electronic and manual. The electronic

6   processing reflects the ongoing cost associated with the OSS Electronic Interfaces

7   and the Local Carrier Service Center ("LCSC") labor required to handle a LSR

8   which falls out, i.e., a LSR that does not pass through the electronic interfaces

9   completely. Manual order processing is the cost BellSouth incurs to handle a LSR

10   manually. In the manual process, a BellSouth LCSC service representative

11   interfaces with the ALEC directly, not using the OSS Electronic Interfaces.

12

13   Q. WHAT TYPES OF COSTS ARE REFLECTED IN THE COST STUDIES?

14

15   A. The cost studies reflect both recurring and nonrecurring costs. Recurring costs

16   include both capital and non-capital costs. Capital costs are associated with the

17   purchase of an item of plant, i.e., an investment. They consist of depreciation, cost

18   of money, and income tax. Non-capital recurring costs are expenses associated

19   with the use of an investment. These operating expenses consist of plant-specific

20   expenses, such as maintenance, ad valorem taxes and gross receipts taxes.

21

22   Nonrecurring costs are one-time expenses associated with provisioning, installing

23   and disconnecting the network capability. These costs typically include five major

24   categories of activity: service order, service inquiry, engineering, connect and test,

25   and technician travel time.

1

2 **Q. WHAT COST METHODOLOGY IS USED IN THE COST STUDIES?**

3

4 A. The cost studies are based on the cost study methodology accepted by this

5 Commission in Order No. PSC-98-0604-FOF-TP in Docket Nos. 960757-TP,

6 960833-TP, and 960846-TP dated April 29, 1998. This Order established rates for

7 numerous network capabilities, ranging from 2-Wire Analog Loop Distribution to

8 Physical Collocation. On page 12 of the Order, the Commission ordered rates that

9 "cover BellSouth's Total System [Service] Long-run Incremental Costs (TSLRIC)

10 and provide some contribution toward joint and common costs." [1]

11

12 **Q. PLEASE PROVIDE SOME BACKGROUND TO ORDER NUMBER PSC-**

13 **98-0604-FOF-TP.**

14

15 A. On November 13, 1997, BellSouth filed cost studies to support prices that this

16 _____

17 [1] The Florida Public Service Commission initially set the foundation for cost
methodology in its December 31, 1996 Order PSC-96-1579-FOF-TP. This Order

18 established Total Service Long Run Incremental Cost ("TSLRIC") as the
appropriate methodology for determining the costs associated with network

19 capabilities. However, this Order also states that the Commission does not

20 "believe there is a substantial difference between the TSLRIC cost of a network
element and the TELRIC [Total Element Long Run Incremental Cost] cost of a

21 network element." (Page 24) In fact, this Order further allows the consideration of
joint and common costs in setting rates. (Page 33) By the definitions outlined in

22 Order PSC-96-1579-FOF-TP, the combination of TSLRIC plus shared (joint) and
common costs equates to the Federal Communication Commission's ("FCC")

23 definition of economic costs (TELRIC plus a reasonable allocation of forward-

24 looking joint and common costs). BellSouth's cost study filed in this docket
develops TSLRIC plus shared and common costs.

25

-7-

1   Commission had previously established as interim rates. The studies were filed

2   electronically with complete documentation. With these studies, BellSouth

3   introduced a new cost model, the TELRIC Calculator©. The TELRIC Calculator©

4   converts material prices and labor work times to cost. The Commission accepted

5   the TELRIC Calculator© as a viable model to determine the TSLRIC plus shared

6   and common costs associated with network capabilities. However, the

7   Commission did make adjustments to the inputs filed by BellSouth.

8

9   Q. **ARE THE ADJUSTMENTS TO BELLSOUTH'S INPUTS ORDERED BY**

10   **THE COMMISSION IN ORDER NO. PSC-98-0604-FOF-TP**

11   **INCORPORATED IN THE COST STUDIES FILED IN THIS**

12   **PROCEEDING?**

13

14   A. Yes. Even though BellSouth does not necessarily agree with the input

15   adjustments, the relevant modifications to the cost elements in this proceeding are

16   included. The cost studies in Exhibit DDC-1 and Exhibit DDC-3 include the

17   Commission-ordered cost of money, depreciation lives, tax factors, and shared and

18   common factors. Additionally, Exhibit DDC-1 includes loop specific,

19   Commission-ordered adjustments, such as fill percentages and drop lengths.

20

21   Q. **PLEASE ELABORATE ON THE MODIFICATIONS BELLSOUTH MADE**

22   **IN EXHIBITS DDC-1 AND DDC-3 TO FULFILL THE ADJUSTMENTS**

23   **MADE IN ORDER NO. PSC-98-0604-FOF-TP.**

24

25   A. I will address each of the adjustments made in this filing and reference the

1 appropriate discussion from the Order. Exhibits DDC-1 and DDC-3 follow the

2 intent of each Commission adjustment. However, where appropriate, the input has

3 been updated to reflect the study period, 1998-2000.

4

5 **Cost of Capital** – On page 29, the Commission states that "BellSouth's overall

6 cost of capital is 9.90 percent. This number falls out from the capital structure of

7 60 percent equity and 40 percent debt, a forward-looking cost of debt of 6.7

8 percent and a cost of equity of 12.0 percent". The 9.9% overall cost of capital

9 was utilized in this filing.

10

11 **Depreciation** – BellSouth incorporated the Commission Approved Projection

12 Lives outlined in Table III[2] and the net salvage values contained in Table IV[3] of

13 the Order.

14

15 **Taxes** – The Order stated that Florida-specific tax factors are to be applied when

16 they are available.[4] This filing included the following Florida-specific tax factors: a

17 combined state and federal income tax factor of 38.57%, a gross receipts factor of

18 1.37%, and an ad valorem factor of .85%. These values reflect an update to the

19 1998-2000 time frame.

20

21 **Shared and Common Costs** – The Commission established the wholesale

22 common cost factor as 5.12%[5] and recalculated the shared cost factors, Table VII[6].

23 _____

24 [2] Order at pages 37 and 38.
[3] Order at pages 42 and 43.

25 [4] Order at page 44.
[5] Order at page 45.

1   These factors were based on a reduction in the network operating expenses as

2   discussed on pages 59-60 of the Order. Additionally, the Commission felt it

3   appropriate to exclude the shared component from the labor rate and include it in

4   the recurring shared factors[7]. The adjustments ordered by the Commission are

5   reflected in this filing, both in the shared and common factors and in the labor

6   rates. BellSouth used the version of BellSouth's Shared and Common Model that

7   the Florida Staff adjusted in Order No. PSC-98-0604-FOF-TP.

8

9   **Disconnect Costs** – With regard to disconnect charges, the Order states, "it is

10   more appropriate to assess those charges at the time the costs are in fact

11   incurred .... Parties should have the opportunity to negotiate the method by which

12   disconnect costs are calculated and recovered."[8] Therefore, disconnect costs were

13   studied as separate rate elements and are included in this filing.

14

15   **Fill Factors** – The Order states that BellSouth should increase the distribution fill

16   factor by 10%[9] and the feeder fill factor by 5%.[10] BellSouth has determined the fill

17   factors for end-of-year 1997 to be 41.28% and 66.0%, respectively. This study

18   reflects the ordered increases to 45.41% (41.28% * 1.1) and 69.3% (66.0% * 1.05).

19

20   **Network Interface Device** – The Order mandates that protector investment should

21

22

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23   [6] Order at pages 46 and 47.
24   [7] Order at page 63.
     [8] Order at page 69.
25   [9] Order at page 84.
     [10] Order at page 100.

1   only reflect the actual number of lines per location.[11] Exhibit DDC-1 complies

2   with this mandate.

3

4   **Drop Lengths** – The Order sets the drop lengths at 200' for aerial and 150' for

5   buried.[12] These values were used in Exhibit DDC-1.

6

7   **Service inquiry and service order time** – With respect to the loop costs, the

8   Order states, "we find that BellSouth's LCSC costs are a component of its OSSs

9   and therefore they must be excluded from recovery in these proceedings. Indeed,

10   all ordering charges, manual or electronic, shall be excluded from the non-

11   recurring rates in these proceedings."[13] Nonrecurring costs for SL1 and SL2 loops,

12   SL2 Order Coordination for Specified Conversion Time, and disconnects do not

13   include LCSC costs and other ordering costs. However, the costs for OSS include

14   LCSC, i.e., both manual and electronic ordering costs.

15

16   **Access Customer Advocacy Center ("ACAC")** – Similarly, the Commission also

17   required removal of ACAC costs from Connect and Turn-Up Test.[14] Exhibit DDC-

18   1 excludes all ACAC work times from Connect and Test.

19

20   It is important to remember that even though the Commission made a number of

21   input modifications; they accepted the TELRIC Calculator© as an appropriate

22   means of determining BellSouth's costs associated with making an investment and

23   _____

24   [11] Order at page 70.
     [12] Order at page 87.

25   [13] Order at page 165.
     [14] Order at page 90.

-11-

1   with provisioning a network capability. The TELRIC Calculator© has been

2   utilized in this filing.

3

4 Q. **WHY SHOULD ACAC COSTS BE INCLUDED IN THE NONRECURRING**

5   **COSTS?**

6

7 A. ACAC is responsible for order coordination during connect and test for SL1 and

8   SL2 loops. One of the characteristics of a SL2 loop is that it includes manual

9   order coordination performed by the ACAC. At the time the ALEC requests

10   provisioning, there are up to three separate activities which occur, Disconnect,

11   Connect, and Remote Call Forwarding. A service order is generated for each of

12   these three activities. In a purely mechanized environment these three orders can

13   get out of sequence. This creates a potential service outage time of one hour. The

14   only way to keep the orders in sequence is to manually coordinate them. This

15   activity is performed by the ACAC and reduces the service outage time to no more

16   than fifteen minutes. Since the ALEC ordering SL2 receives order coordination, it

17   is appropriate to include these costs.

18

19   The cost studies in Exhibit DDC-1 have been performed in accordance with the

20   Commission's Order and all ACAC work times have been omitted. However

21   ACAC costs should be recognized and BellSouth should be allowed to recover

22   them. Without the ACAC, order coordination cannot be provided to the ALEC.

23   Therefore, ACAC costs have been calculated in Exhibit DDC-5, ~~and the rates~~

24   ~~provided in Mr. Varner's testimony reflect these costs.~~

25

1 **Q. IN ORDER NO. PSC-98-0604-FOF-TP, DID THE COMMISSION MAKE**

2 **ANY CHANGES TO WORK TIMES IN ADDITION TO THOSE**

3 **MENTIONED ABOVE? IF SO, ARE THESE INCLUDED IN EXHIBITS**

4 **DDC-1 AND DDC-3?**

5

6 A. The Commission adjusted the work times for the unbundled network elements

7 studied in Docket Nos. 960757-TP, 960833-TP, and 960849-TP in the November

8 17, 1997 filing. However, the elements studied in this arbitration proceeding

9 (Docket No. 990750-TP) were not addressed in that Order. The work times that

10 are included here reflect the work times BellSouth will experience in provisioning

11 these unbundled network elements filed in this proceeding.

12

13 **Q. DID THE COMMISSION ACCEPT BELLSOUTH'S LOOP MODELING**

14 **TECHNIQUE IN ORDER NO. PSC-98-0604-FOF-TP?**

15

16 A. Yes. BellSouth's loop cost is calculated by a process in which a sample of existing

17 loops are recast to forward-looking designs. The Commission accepted the

18 method used to determine the loop investment, a statistically valid sampling

19 technique. In fact, on page 75 of the Commission's Order it states: "We find,

20 therefore, that BellSouth's loop sample construction is appropriate." Further, the

21 Commission accepted BellSouth's method of recasting its loops to a forward-

22 looking design.[15] The loop sample modeling technique and sample data are

23 utilized in this filing.

24

25 _____

[15] Order at page 101.

-13-

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2   It should be noted that the Commission also accepted the majority of inputs used

3   by BellSouth. These include the use of 26 gauge cable, the structure sharing

4   percentages, aerial and buried drop wire percentages, material costs, loading

5   factors, subscriber line testing costs, and the direct labor rates.

6

7   Q. **PLEASE SUMMARIZE YOUR TESTIMONY.**

8

9   A. The cost studies filed in this proceeding determine the total service long run

10 incremental costs plus shared and common costs specific to Florida for network

11 capabilities requested by ITC^DeltaCom. Elements that have previously been

12 presented to this Commission and for which permanent rates have been established

13 have not been restudied. The costs were developed using the basic study

14 methodology and approved input values previously authorized by this

15 Commission.

16

17 Q. **DOES THIS CONCLUDE YOUR TESTIMONY?**

18

19 A. Yes.

20

21

22

23

24

25

BY MR. ALEXANDER (Continuing):

    Q   Ms. Caldwell, did you also cause to be prefiled in this proceeding rebuttal testimony on September 13th of this year, consisting of nine pages?

    A   That is correct.

    Q   And did you have one exhibit attached to that?

    A   Yes.

    Q   And was that exhibit labeled DDC-6?

    A   Yes.

    Q   Do you have any changes, corrections, or additions to make to either your direct, prefiled direct testimony or your Exhibit DDC-6?

    A   Rebuttal testimony? No.

    Q   I'm sorry; did I recall it direct? Your rebuttal testimony.

    A   No, I do not.

    Q   If I were to ask you the same questions as appear in your prefiled rebuttal testimony, would your answers be the same today?

    A   Yes, they would.

    MR. ALEXANDER: At this time I would ask for the admission of Ms. Caldwell's rebuttal testimony and the exhibit attached thereto into this proceeding.

    COMMISSIONER CLARK: We will insert the testimony in the record as though read.

1 And we will mark for identification DDC-6 as

2 Exhibit 26.

3 (Exhibit 26 marked for identification).

4 MR. ALEXANDER: Thank you.

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1   **BELLSOUTH TELECOMMUNICATIONS, INC.**

2   **REBUTTAL TESTIMONY OF D. DAONNE CALDWELL**

3   **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

4   **DOCKET NO. 990750-TP**

5   **SEPTEMBER 13, 1999**

6

7   **Q. PLEASE STATE YOUR NAME, ADDRESS AND OCCUPATION.**

8

9   A. My name is D. Daonne Caldwell. My business address is 675 W. Peachtree St.,

10   N.E., Atlanta, Georgia. I am a Director in the Finance Department of BellSouth

11   Telecommunications, Inc. (hereinafter referred to as "BellSouth" or "the

12   Company"). My area of responsibility relates to economic costs.

13

14   **Q. HAVE YOU PREVIOUSLY FILED TESTIMONY IN THIS DOCKET?**

15

16   A. Yes. I filed direct testimony on August 16, 1999.

17

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

19

20   A. The purpose of my testimony is to respond to the assertions made by

21   ITC^DeltaCom witnesses, Mr. Thomas Hyde and Mr. Don Wood.

22

23   **COLLOCATION**

24   **Q. ON PAGE 20 OF HIS TESTIMONY, ITC^DELTACOM WITNESS, MR.**

25   **WOOD, OFFERS A METHOD FOR DEVELOPING A "SURROGATE"**

-1-

1 **RATE FOR CAGELESS COLLOCATION. FROM A COST**

2 **METHODOLOGY PERSPECTIVE, IS HIS METHODOLOGY SOUND?**

3

4 A. No. Mr. Wood advocates utilizing the "existing rates for virtual collocation as a

5 reasonable proxy for physical cageless collocation rates." (Page 20 of Wood

6 Testimony) Mr. Wood claims that in a virtual collocation arrangement "BellSouth

7 owns the equipment and incurs the expense of maintaining it." (Page 21 of Wood

8 Testimony) He further explains his "cageless cost methodology" by suggesting that

9 BellSouth apply annual cost factors (minus maintenance) to some unspecified

10 investment to determine the "relevant costs."

11

12 First, Mr. Wood's underlying assumption is wrong; BellSouth does not own the

13 equipment in a virtual collocation arrangement nor does it incur the expense of

14 maintaining such equipment. In Virtual Collocation, BellSouth leases the

15 equipment from the collocator and pays a nominal fee of $1.00 as outlined in

16 BellSouth's FCC Tariff No. 1, Section 20. BellSouth maintains the equipment at

17 the collocator's expense, pursuant to the rates and charges in Section 13 of FCC

18 Tariff No. 1. The relevant pages of BellSouth's FCC Tariff No. 1 are attached as

19 Rebuttal Exhibit DDC-6. Second, Mr. Wood's purported methodology fails

20 because the collocator purchases the equipment; therefore, there is no investment

21 by BellSouth against which annual cost factors could reasonably be applied to

22 develop a cost for BellSouth. BellSouth witness, Mr. Varner, discussed the

23 appropriate rates and their application on page 68 of his direct testimony filed in

24 this docket.

25

1 <u>OPERATIONAL SUPPORT SYSTEMS</u>

2 **Q. MR. WOOD ALSO DISCUSSES OPERATIONAL SUPPORT SYSTEM**

3 **("OSS") COSTS. PLEASE PROVIDE A BRIEF DESCRIPTION OF THE**

4 **OSS ELECTRONIC INTERFACES COST ELEMENTS BELLSOUTH**

5 **FILED IN THIS DOCKET. FURTHER, PLEASE DISCUSS MR. WOOD'S**

6 **COMMENTS.**

7

8 A. As I describe in my direct testimony, the OSS Electronic Interfaces are the systems

9 that BellSouth developed <u>specifically</u> to provide Alternative Local Exchange

10 Carriers ("ALECs") with the ability to transmit a local service request ("LSR")

11 electronically. These interfaces allow the ALEC to mechanically access BellSouth's

12 existing order processing systems. Both resale and unbundled network element

13 ("UNE") LSRs can be transmitted via the interfaces.

14

15 The costs BellSouth submitted in this docket reflect only those costs associated

16 with these new interfaces. I agree with Mr. Wood's observation that the OSS costs

17 can be segmented into two classes; (1) costs incurred to develop the interfaces and

18 (2) costs resulting from the use of these interfaces. In fact, BellSouth's cost

19 summary reflects these classifications:

20

21 (1) OSS Electronic Interfaces – Development and Implementation cost element,

22 includes the labor costs for the systems development and software costs.

23

24 (2) OSS Electronic Interfaces – Ongoing Processing cost element, reflects the

25 ongoing costs of the hardware and the Local Carrier Service Center ("LCSC")

1   labor required to handle a LSR which falls out.

2

3   However, I disagree with his assertion that the development and implementation

4   costs are inappropriate. If these costs were perceived to be born solely by

5   BellSouth, what would deter an ALEC from requesting a "gold-plated" interface,

6   one that may or may not be utilized by the ALEC? This is a waste of valuable

7   resources. Furthermore, the ALECs caused these costs to be incurred and thus, the

8   ALECs should bear the costs. Finally, Mr. Wood's statement on page 15 of his

9   testimony is blatantly wrong; "the new OSS implemented by BellSouth will benefit

10   its own retail customers." BellSouth does not and will not use these interfaces to

11   serve its retail customers. They are provided solely for the use of ALECs. Thus,

12   there is no benefit to BellSouth's retail customer. BellSouth witness, Dr. Taylor,

13   expands on the appropriateness of BellSouth's OSS charges in his rebuttal

14   testimony.

15

16   **NONRECURRING COST DEVELOPMENT**

17   **Q. BELLSOUTH DEVELOPED NONRECURRING COSTS FOR**

18   **UNBUNDLED NETWORK ELEMENTS, BOTH IN THIS DOCKET AND**

19   **IN DOCKET NOS. 960757-TP, 960833-TP, AND 960846-TP. HOWEVER,**

20   **MR. HYDE (PAGE 13) AND MR. WOOD (PAGE 25) QUESTION THE**

21   **VALIDITY OF BELLSOUTH'S NONRECURRING COST**

22   **METHODOLOGY. PLEASE COMMENT.**

23

24   A. This Commission has previously reviewed BellSouth's nonrecurring costs for

25   unbundled network elements and the underlying methodology used to develop

-4-

1   those costs in Docket Nos.960757-TP, 960833-TP, and 960846-TP. On page 96

2   of Order No. PSC-98-0604 in those dockets, the Commission rejected cost models

3   proposed by other parties stating: "We characterize AT&T/MCI's view as

4   representing the 'best case' scenario, the most automated, least cost provisioning.

5   We do not believe that AT&T/MCI's view, which is optimistic, captures all of the

6   manual intervention that is actually required to provision UNEs." Thus, the main

7   flaw the Commission found with the intervenors' nonrecurring models was that

8   they developed costs virtually based on costs that a hypothetical local exchange

9   company would incur to provide service if it were to build an ideal network today

10 from scratch.

11

12 Mr. Wood advocates this same philosophy in this proceeding. On page 11 of his

13 testimony, Mr. Wood states that nonrecurring costs should reflect systems that "are

14 consistent with the Total Network Management ("TNM") guidelines". BellSouth's

15 network is "consistent" with the TNM guidelines. However, the network is not

16 100% TNM compliant and never will be 100% compliant. Network management

17 refers to the equipment, procedures, and operations designed to keep a traffic

18 network operational. Total Network Management implies an integrated network

19 where each vendor's equipment communicates with other vendor supplied

20 equipment, operations are seamless, and procedures require no (or little) human

21 intervention. BellSouth's goal is to evolve toward this standard, but due to the

22 enormous investment BellSouth has in copper plant, total end-to-end compliance

23 will never materialize. The substantial capital outlay and labor required to make

24 Mr. Wood's world a reality are cost prohibitive requiring replacement of existing,

25 functional plant. Additionally, Mr. Wood ignores other attributes of nonrecurring

1   cost, in addition to network design, that impact the cost BellSouth will incur.

2   BellSouth has contractual obligations that mandate work activities such as testing.

3   Also, some orders require manual intervention due to their complex nature or input

4   error. Mr. Wood inappropriately relegates nonrecurring cost development to this

5   hypothetical world based on "the most efficient technology" regardless of its

6   deployment (or lack thereof) in BellSouth's network.

7

8   There is no reason to re-examine the nonrecurring costs previously filed with this

9   Commission. Additionally, the new nonrecurring costs presented by BellSouth in

10   this docket also adhere to the same methodology approved by the Commission in

11   Docket Nos. 960757-TP, 960833-TP, and 960846-TP.

12

13   Q. **ON PAGES 26-27 OF HIS TESTIMONY, MR. WOOD DISCUSSES**

14   **DISCONNECT CHARGES. PLEASE COMMENT ON HIS STATEMENTS.**

15

16   A. Mr. Wood raises two issues with respect to disconnect costs. The first has to do

17   with timing. Mr. Wood believes, "disconnect charges should not be assessed to

18   CLECs until the customer actually leaves the system." (Wood Testimony at Page

19   26) This Commission has already made a decision on this aspect of disconnect

20   costs in Docket Nos. 960757-TP, 960833-TP, and 960846-TP where it stated; "it

21   is appropriate to assess those [disconnect] charges at the time the costs are in fact

22   incurred." (Order PSC-98-0604-FOF-TP at Page 69) Thus, BellSouth presented

23   these costs as separate items in this docket.

24

25   Mr. Wood's second issue pertains to an imaginary "double counting of costs". He

1   asserts that BellSouth does not physically disconnect the circuit and thus, no

2   disconnect costs are incurred. This may be partially true when BellSouth is the

3   end-to-end provider of service, but not when an ALEC utilizes unbundled network

4   elements to provide service. (Record changes would still need to be processed

5   even if physical disconnect does not take place.) When an ALEC no longer wants

6   to purchase a UNE from BellSouth, i.e. at the time of disconnect, then BellSouth

7   must physically perform certain tasks, e.g., disconnecting the unbundled loop from

8   the cross-connects. These work activities are reflected in the costs that are

9   appropriately presented by BellSouth in this docket for Service Level 1 and Service

10   Level 2 loops.

11

12   Mr. Wood states that if an end user decides to change service providers, the

13   connect and disconnect activities are "a single activity." (Wood testimony Page 27)

14   This is wrong. Yes, the activities may take place at the same time; but different

15   transactions, potentially involving different work groups, occur and can be

16   separately identified into connect and disconnect categories. To illustrate my point,

17   assume the end user is an ITC^DeltaCom customer served via UNEs purchased

18   from BellSouth, loop and cross-connects. If this customer decides to return to

19   BellSouth and ITC^DeltaCom relinquishes the facilities, then record changes would

20   need to be made and cross-connects to ITC^DeltaCom's collocation space would

21   be removed. These activities are reflected in the disconnect cost ITC^DeltaCom

22   would pay. Additional activities would then need to be done to re-establish service,

23   e.g., connecting the customer to BellSouth's switch, testing and translations. These

24   charges associated with re-establishing service are assessed against the end user,

25   not ITC^DeltaCom. If ITC^DeltaCom wants, for some unknown reason, to retain

1 the original loop then no disconnect charges would be assessed. However,

2 ITC^DeltaCom would still be responsible for the recurring charges associated with

3 that retained loop.

4

5 In summary, disconnect charges only apply when the ALEC requests that a UNE

6 no longer be provided by BellSouth. This request causes BellSouth to incur costs

7 due to the physical activities required to implement the discontinuance of

8 "service". BellSouth presents disconnect costs separately from the installation

9 costs as required by this Commission.

10

11 Q. **ON PAGE 25 OF HIS TESTIMONY, MR. WOOD ALLEGES**

12   **BELLSOUTH'S COST MODEL CANNOT BE USED TO COMPLY WITH**

13   **THE FCC'S TELRIC STANDARD. DO YOU AGREE?**

14

15 A. No. BellSouth's cost methodology is compliant with the FCC's TELRIC standard.

16   As I explained in my direct testimony, this Commission has devoted extensive time

17   and resources to evaluating cost methodology. In Order No. PSC-96-1579-FOF-

18   TP, the Commission recognized that the underlying Total Service Long Run

19   Incremental Cost ("TSLRIC") cost methodology and the FCC's Total Element

20   Long Run Incremental Cost ("TELRIC") cost methodology are virtually the same,

21   only the cost object has changed from a service to an element. On page 24 of the

22   Order, the Commission states: "Upon consideration, we do not believe there is a

23   substantial difference between the TSLRIC cost of a network element and the

24   TELRIC cost of a network element." Further, on page 32 of Order No. PSC-96-

25   1579-FOF-TP, this Commission found that "BellSouth's cost studies are

1 appropriate because they approximate TSLRIC cost studies and reflect BellSouth's

2 efficient forward-looking costs." Mr. Wood presents nothing new that should

3 cause this Commission to revisit this finding. Since this Commission equates

4 TSLRIC to TELRIC, and TELRIC is the current FCC cost methodology standard;

5 BellSouth's studies necessarily comply with the FCC TELRIC rules as interpreted

6 by this Commission.

7

8 Q. PLEASE SUMMARIZE YOUR TESTIMONY.

9

10 A. The cost studies filed in this proceeding determine the total service long run

11 incremental costs plus shared and common costs specific to Florida. The costs

12 were developed using the basic study methodology and approved input values

13 previously authorized by this Commission.

14

15 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

16

17 A. Yes.

18

19

20

21

22

23

24

25

BY MR. ALEXANDER (Continuing):

    Q   Ms. Caldwell, do you have a summary of your testimony?

    A   Yes, I do.

    Q   Would you give that now, please?

    A   Yes.

    First of all, I'd like to just talk about my direct testimony. I discussed two issues. I discussed Issue 38 and -- well, really three issues, but they are really two ideas. Issue 38 and then Issues 39 and 40.

    What Issue 38 deals with is the rates that will be imposed on ITC^DeltaCom for Bellsouth's access to OSS. And what I did in that particular area is I produced a cost study that's filed, that is Exhibits DDC-2, -3, and -4, that was attached to my direct testimony. And in that particular testimony, I developed the costs for access to the OSS.

    I looked at all the development costs and implementation costs of those electronic interfaces that will be used solely by the ALECs to transmit their orders from their location into Bellsouth's existing legacy, operational support systems.

    The cost for that basically is $6.63. In addition to that, I also -- And let me add one thing there: I did look at the ongoing maintenance of those

1 systems as we pass through time.

2 I also developed a manual charge. And that

3 would be, for instance, when an ALEC chose to fax the

4 order rather than use the electronic interfaces and

5 that's a separate rate element. It's based on the time

6 to handle that particular order. And that would be

7 $20.08.

8 Now, on the next issues that dealt with the

9 rates for some loops, in particular, ADSL, SL1, et

10 cetera, I developed cost studies. The cost studies that

11 I provided were for a two-wire SL1 loop, a two-wire SL2

12 loop, and a two-wire SL2 loop order coordination for

13 specified conversion time.

14 In addition, ITC^DeltaCom had asked for the

15 ADSL and HDSL compatible loops, but since the Commission

16 had already looked at the cost studies for those loops

17 and actually ordered rates in their April order, I did

18 not restudy them at this time.

19 One comment about the studies I would like to

20 make is that I used the TSLRIC plus shared and common

21 methodology that this Commission has accepted basically

22 associated with Dockets 960757, 960833, and 960846.

23 This methodology looks at the forward-looking

24 long run and reflects least cost efficient technology.

25 Now, we call TSLRIC plus shared and common, but the only

1 real difference is this Commission has already found

2 between TSLRIC plus shared and common and TELRIC is the

3 object that you're studying. If I am going to study a

4 network element and I look at a TSLRIC study, I'm going

5 to pick up additional shared capacity because I'm

6 studying an element. So, it is a true statement that

7 TSLRIC plus shared and common when I am studying a

8 network element is the same as a TELRIC, which matches

9 the FCC's TELRIC definition for total element long-run

10 incremental costs.

11   One thing I do want to point out is that in my

12 cost studies that I have filed here concerning these

13 loops and the OSS, I recognize all the adjustments that

14 the Commission had previously ordered in the April time

15 frame. Just to list those, without going into detail, I

16 adjusted the cost of capital, the depreciation, the

17 common cost factor. I adjusted fill factors, drop links

18 and the number of lines per network interface devices

19 associated with the loops.

20   Additionally, the shared and common

21 costs -- excuse me. The shared costs were eliminated

22 from the labor rates and for the actual shared costs and

23 common cost calculation. After the April order, the

24 staff had provided to BellSouth their version of the

25 shared and common with their adjustments. I just used

1   that same version to get the shared and common factors.

2   In addition to that, we use the Florida State

3   specific tax factors. And we removed all service order

4   and service inquiry costs from these cost calculations.

5   The last item to mention is associated with the

6   disconnect costs, we consider those to be separate rate

7   elements.

8   Now, that pretty much concludes what I talked

9   about in terms of my direct testimony. That's basically

10   the introduction of the costs.

11   Now, in my rebuttal, I just addressed a few

12   issues that were raised concerning, first of all,

13   collocation, access to OSS, nonrecurring cost, and the

14   last one was does BellSouth cost studies conform to the

15   FCC's TELRIC standard.

16   Let me just briefly take collocation. The

17   issue that I responded to in the rebuttal was whether or

18   not to use virtual collocation as a surrogate. That's

19   really not necessary because you're not studying the same

20   thing. It is a form of physical collocation. It just

21   does not require a cage. And you're not talking about

22   using the rate elements for building a cage. You're only

23   using the rate elements that would be appropriate in a

24   cageless environment. And that would be such things as

25   the floor space. Granted, it may not be a hundred square

1 feet, which is what most cages were concerned with, but

2 it is still some floor space that their equipment sits

3 on. And we looked at -- And in that case, you would only

4 use the floor space rate element and the associated land.

5   Now, the rates were already established by this

6 Commission in the April time frame for that particular

7 rate element.

8   In addition to that, one other thing I think to

9 point out is there was a lot of discussion in the

10 testimony about maintenance and how we needed to take out

11 maintenance from the cost study. Well, if you're looking

12 at just the floor space, there is no maintenance cost.

13 Maintenance is always associated with the equipment. And

14 in both physical and virtual collocation, there are no

15 equipment costs because that's owned by the ALEC. So,

16 there is nothing to remove the maintenance from.

17   The next item is the OSS. I think I fairly

18 well covered access to OSS and what I --

19   COMMISSIONER JACOBS: I'm sorry. Before

20 you -- There is a cost element for a per-square-foot

21 collocation?

22   WITNESS CALDWELL: Yes, for the floor space.

23   COMMISSIONER JACOBS: Seems like I thought from

24 earlier discussions that there was some confusion, but

25 there is that?

WITNESS CALDWELL: Yes.

COMMISSIONER JACOBS: Yes.

WITNESS CALDWELL: Now, the next item is access to OSS. Let me just point out that I think the one issue here that may be a little confusing is the discussion that it's not TELRIC. Well, it is TELRIC. These are new systems. You have to develop them. So, I started from scratch. I developed systems. I looked at all the development costs based on the OSS electronic interfaces that BellSouth would be deploying for the ALECs. And the only customers that are going to use those systems are the ALECs when they send their orders through them. So, therefore, I did divide by total demand. I followed the TELRIC rules and divided by total demand that would use those systems.

So, I think that was the one issue there.

COMMISSIONER JACOBS: So, you disagree with -- I'm sorry, I can't remember the name of the witness -- who says that some component of retail customers would use those --

WITNESS CALDWELL: Yes.

COMMISSIONER JACOBS: -- systems?

WITNESS CALDWELL: The OSS electronic interfaces, I studied eight systems. And those systems are, if you think about them, they are prior to

1 Bellsouth's existing OSS systems. And so all I did was

2 study those eight systems. And I like to think of them

3 as being separate. And I only divided by the demand that

4 would go through them.

5   COMMISSIONER JACOBS: Okay.

6   WITNESS CALDWELL: Okay?

7   In the nonrecurring costs, there was really two

8 areas: The first one was just the general question of

9 whether or not we used the correct cost methodology. We

10 used the same methodology that this Commission has looked

11 at for many years and also spent a lot of time analyzing

12 in the last cost docket or the last arbitration that we

13 had, Docket 960833.

14   We basically look at the time that the subject

15 matter expert says it's going to really require us to

16 perform that activity. And I included that work time in

17 my studies. And I also made all the adjustments that the

18 Commission ordered by taking out all service order and

19 all service inquiry time associated with service level 1

20 and service level 2 loops.

21   The other issue on the nonrecurring concerned

22 disconnect. There was some point that we needed to

23 separate the disconnect and have it as a separate rate

24 element. I had done that. So, I don't think that's an

25 issue any more.

The other one was that I was somehow including costs for work that was not done or somehow BellSouth was charging a disconnect when no work was being done. There is work being done. When an ALEC disconnects an unbundled loop, they have purchased a UNE from us. It is their UNE. They decide to disconnect it. It is currently connected to their collocation space. So, when they disconnect or say they no longer want that loop, we have to physically have a technician remove it from the collocated cross connect and cross connect it back to Bellsouth's switch or cross connect it to another ALEC. So, it's the -- And it's only at time of disconnect I have included, the physical disconnect.

And the last item was that the BellSouth cost studies conform to the TELRIC methodology. I think I covered that in my direct testimony sufficiently.

Thank you.

MR. ALEXANDER: Witness is available for cross.

COMMISSIONER CLARK: Okay. Mr. Jones.

MR. JONES: Thank you, Ms. Commissioner.

                    CROSS EXAMINATION

BY MR. JONES:

Q   Ms. Caldwell, Clay Jones on behalf of ITC^DeltaCom; how are you this evening?

A   Just fine.

1   Q   Ms. Caldwell, I think it's fair to say that you

2 take the position that the cost studies you rely on in

3 this proceeding, whether they're ones that you submitted

4 for this proceeding or whether they are cost studies

5 relied on in prior decisions of the Commission, are

6 compliant with the FCC pricing rules?

7   A   Yes, I do.

8   Q   Okay. I'd like to talk with you about one of

9 those rules in particular. And, Commissioners, I have a

10 copy of the rules. And it might be easier if I just

11 provided the witness with it.

12   Ms. Caldwell, do you recognize what I have

13 handed you?

14   A   Yes, I do.

15   Q   And this is the -- Well, what have I handed

16 you? You would describe them as the FCC pricing rules?

17   A   Yes. This is the part of the pricing rules --

18 Well, I guess it's the pricing rules. It's Section --

19 It's 51.5, et cetera.

20   Q   Okay. And I'd like you to turn over to I guess

21 what would be page B-32 and ask if you are familiar with

22 Rule 51.511(a)?

23   A   Yes.

24   Q   And I hope this isn't tedious, but, if you

25 would, please just read it into the record for us.

1   A   A?

2   Q   Uh-huh, .511(a); that's right.

3   A   "The forward-looking economic cost per unit of

4   an element equals the forward-looking economic cost of

5   the element as identified in 51.505 of this part, divided

6   by a reasonable projection of the sum of the total number

7   of units of the element that the incumbent LEC is likely

8   to provide to requesting telecommunications carriers and

9   the total number of units of the element that the

10   incumbent LEC is likely to use in offering its own

11   services during a reasonable measuring period."

12   Q   So, following this rule, when you're costing

13   element, a UNE, the FCC pricing rules require you to

14   factor in the forward-looking economic cost of the

15   element as well as the total units or projections of the

16   total units that an ILEC is likely to provide to ALECs

17   and that an ILEC is likely to use in offering its own

18   retail services; is that a fair statement?

19   A   Yes, as long as the demand you're looking at

20   here is going to use that particular UNE.

21   Q   Okay. And Rule 51.511 mentions Rule, or

22   incorporates, I suppose, Rule 51.505, which is on the

23   first page of what I've handed you. And that's the rule

24   that at least in part says that you have to factor the

25   total quantity of facilities; is that familiar to you?

1   A   Yes, that's familiar. I can't remember exactly

2 which sub part it is.

3   Q   I believe (b) would be the --

4   A   Oh.

5   Q   51.505(b).

6   A   Yes, I'm with you.

7   Q   Actually 51.511 -- 51.511 includes the entire

8 Rule 505, but the portion I was referring to, the total

9 quantity of facilities and functions, is found in sub

10 part (b) of that rule; do you see that?

11   A   Yes, but we're talking about -- And let me just

12 be clear I'm following you here. Is 51.505(b) talks

13 about the total element long-run incremental cost, and in

14 this element it's the quantity of facilities and function

15 that are directly attributable to, or reasonably defined

16 as incremental to such an element.

17   Q   To the element.

18   A   (Witness nods head affirmatively).

19   Q   Okay. Thank you.

20   So, in general, could you please describe to me

21 the process by which you incorporated this rule, .511, as

22 well as the principles of .505, into your cost studies

23 that you've submitted in this proceeding, just in

24 general.

25   A   Okay. Probably best to use the loop as an

1 example.

2   Q   That will be fine.

3   A   What we basically did, not going into

4 excruciating detail, but we looked at the existing

5 customer locations. We looked at the existing wire

6 centers. We did use a sample that told us where the

7 customers are located today and how they are served. We

8 then redesigned every one of those loops to the most

9 current or the currently available technology. I think

10 the best way to look at that is if you've got a 20-mile

11 loop that's served on copper, we converted that to

12 digital loop carrier, which is the most efficient cost

13 effective way to serve those long loops.

14   So, for each one of loops we redesigned them.

15 So, that took into consideration the forward-looking

16 aspect of the study.

17   And then we looked at developing, since it was

18 a sample, a statistically valid sample of all the loops

19 in the state of Florida, then that represented the entire

20 demand for all loops, whether it be a loop used by

21 BellSouth or a loop to be used by an ALEC. I think those

22 are the major issues you were talking about here.

23   I can go into the depreciation or the other.

24   Q   Unless you've -- I don't think that's

25 necessary. That gives me a general understanding.

1   A   Well, let me just say in summary on that, when

2 it deals with the depreciation, the cost of capital, all

3 those issues, I think the staff has well addressed that

4 and I followed their adjustments in my study.

5   Q   Thank you. So, you would agree that a loop is

6 a UNE?

7   A   Yes, I would.

8   Q   And, as you just said in your example, on your

9 cost analysis you factored in the loops provided to ALECs

10 as well as those used by BellSouth to provide retail

11 service to its own customers?

12   A   Yes.

13   Q   And some of those loops have probably been in

14 the system for sometime when you're figuring out the

15 total number of loops that are present?

16   A   Oh, yes.

17   Q   Would you agree that switching capacity is a

18 UNE, local circuit switching?

19   A   And I guess I should go back and say that in

20 terms of the costs, what I have developed in terms of

21 UNE, I guess we'll have to get back to the fact that we

22 really don't really know what UNEs are available now. I

23 have a tendency to talk about the ones I've studied. So,

24 let me just clarify here that I am talking about the

25 elements of the network that I had previously developed

1 costs for unbundled network elements.

2   Q   Okay. Now, have you done, either in this

3 proceeding or in prior proceedings upon which you're

4 relying on certain cost studies, an analysis of switching

5 capacity?

6   A   I have looked at the port and then I have

7 looked at the usage on the switch, of local switching

8 component.

9   Q   Okay. And when you did that, did you look

10 at -- and I'll refer to it as switching capacity, if

11 that's an acceptable definition of how you're describing

12 it.

13   A   That's fine.

14   Q   When you did, you looked at the switching

15 capacity provided -- when you factored in the switching

16 capacity provided to ALECs as well as that used by

17 BellSouth to provide its own retail services?

18   A   Yes.

19   Q   Would you agree that dedicated and shared

20 transport is a UNE?

21   A   Again, the same.

22   Q   Same answer?

23   A   Same answer, but I did study them.

24   Q   That's fine. And you studied those, not in

25 this -- You didn't provide that in the cost study in this

1 proceeding but in a prior proceeding?

2   A   They had been studied prior.

3   Q   And when you did that, you considered the

4 dedicated and shared transport to be -- you factored in

5 the dedicated and shared transport to be provided to

6 ALECs as well as that used by BellSouth to provide retail

7 services to its own customers?

8   A   Yes. Let me just point out that we keep using

9 the term retail, but especially in the switch and in the

10 dedicated transports, you're going to have the

11 wholesale environment, because you have your access

12 services. Any demand that actually would traverse or use

13 that facility, I considered that.

14   Q   Okay. But everything in that realm that is

15 used by BellSouth, in this instance not limited to

16 retail, but you consider the entire universe of dedicated

17 and shared transport in your analysis; you factored that

18 in?

19   A   Yes.

20   Q   Would you agree, subject to your answer before,

21 that signalling is a UNE?

22   A   Yes.

23   Q   Okay. And you provided a cost analysis of

24 signalling and other correlated databases in a previous

25 filing with the Commission here, not in this proceeding

1 but in another, that you were relying on?

2   A   Yes. I started to say automatically yes. I

3 know some of the databases were. I believe signalling

4 was previously.

5   MR. ALEXANDER: May I -- Several of these

6 questions have been about cost studies about elements

7 that DeltaCom has not requested as a part of this

8 proceeding. I'm not sure the relevancy of the questions.

9   MR. JONES: They're relevant because I'm trying

10 to address her methodology for how she has provided cost

11 studies for the ones that we're asking for. It's within

12 the realm of relevancy for me to ask her about her

13 methodology for performing a cost analysis.

14   COMMISSIONER CLARK: That's fine, but let's not

15 belabor the point.

16   MR. JONES: I think we're getting to where we

17 need to be.

18 BY MR. JONES (Continuing):

19   Q   Now, you've also in this docket provided a cost

20 study for OSS?

21   A   Yes, I have.

22   Q   Okay. And would you agree with me that at

23 least according to the FCC's press release that OSS or,

24 as you would probably would want to prefer to put it,

25 access to OSS is a UNE?

1 A   That's my understanding, yes.

2 Q   Now, with regard to the OSS cost study that you

3 provided here, did you look at the OSS system to be used

4 by ALECs or did you factor in the OSS to be used by ALECs

5 or did you also consider Bellsouth's own OSS system used

6 to provide service to its own customers?

7 A   The only cost that's included in the access to

8 OSS cost study is the cost associated with the electronic

9 interfaces that interface the ALEC's order processing

10 systems with Bellsouth's existing OSS legacy systems. So,

11 that's what's in my cost study. Just those electronic

12 interfaces. The existing OSS legacy systems are in the

13 shared and common factors.

14 Q   Okay. But not included in your cost analysis

15 then?

16 A   No, they're not.

17 Q   Okay. So, for these other UNEs that we've been

18 discussing, and perhaps according to opposing counsel

19 belaboring, but loops, switching capacity, transport,

20 signalling, you did consider, in fact you factored in in

21 assuming the total quality, pursuant to the FCC rules,

22 both elements provided to ALECs as well as those used by

23 BellSouth, but you did not do that for OSS?

24 A   Yes. And that's appropriate. When I look at a

25 loop, the loop could be used by BellSouth. It could be

1 used by an ALEC. Or if you look at a switch, as I

2 mentioned it could be used, again, by the ALEC or by

3 BellSouth. So, you need to look at all of the demand

4 that that particular facility is going to have traveling

5 across it or be using it.

6 But when you're looking at OSSs, I did the same

7 thing. The OSS electronic interfaces never receive a

8 BellSouth retail order. They are only for the purpose of

9 taking the order from the CLEC or ALEC and transmitting

10 it to Bellsouth's OSS systems. So, the only demand that

11 ever goes across those is the ALEC demand. So, I feel

12 that you are in compliance with the order.

13 Q BellSouth has an OSS system that it uses to

14 provide to fill orders for its own retail customers; is

15 that correct?

16 A Yes. That's part of the OSS legacy systems.

17 There's probably more than one.

18 COMMISSIONER JACOBS: If I understood

19 correctly, then you looked at the interfaces only to the

20 ALEC, for the ALECs?

21 WITNESS CALDWELL: Right.

22 COMMISSIONER JACOBS: But the back room or the

23 legacy systems, are they common? The one, the systems

24 that actually do the number crunching for both ALECs and

25 for your processing, are they common or are they

1 different?

2   WITNESS CALDWELL: At some point they do enter

3 the OSS legacy systems, so they would be common. I

4 believe Mr. Pate can probably tell you exactly which

5 systems and how they interface.

6   COMMISSIONER JACOBS: And what I hear you to be

7 saying is that you distinguished those costs?

8   WITNESS CALDWELL: Yes. I looked at it very

9 differently. I looked at just the electronic

10 interfaces. That's what's in the cost study I provided.

11 And then the OSS, anything that was an existing system,

12 that's in the shared and common. So it -- It by default

13 is spread across retail and wholesale offerings because

14 it's in the shared and common.

15   COMMISSIONER JACOBS: Thank you.

16   MR. JONES: I have no further questions.

17   COMMISSIONER CLARK: Staff.

18   CROSS EXAMINATION

19 BY MS. CALDWELL:

20   Q   Good evening, Ms. Caldwell. I'm Diana Caldwell

21 of the Commission staff.

22   A   Good evening.

23   Q   When BellSouth --

24   COMMISSIONER JACOBS: This is the first time;

25 isn't it?

1   MS. CALDWELL: No, we had the opportunity for

2 depositions. We got this all settled in deposition. I'm

3 Q and she's A.

4 BY MS. CALDWELL (Continuing):

5   Q   When BellSouth enters rates into the TELRIC

6 calculator, what time frame or interval does BellSouth

7 apply as forward looking?

8   A   We use normally a three-year time frame. I

9 believe in these particular studies we entered in a base

10 year of 1997, and then we had a forward-looking time

11 frame of '98 through 2000. The OSS study is the one

12 exception. It's a '99 through 2001.

13   Q   Does the recurring costs of ongoing processing

14 OSS orders in your exhibit include LENS, EDI, and TAG?

15   A   Yes.

16   Q   And which of these systems was released as

17 Bellsouth's latest version?

18   A   I need to defer that to Mr. Pate.

19   Q   Okay. Would you also -- Would you happen to

20 know the highest level of functionality?

21   A   I'm afraid not.

22   Q   That's all right. On what basis did you

23 determine which systems were forward looking in your

24 costs and did you include all of them?

25   A   All right. I looked at eight systems. And

that would be all the systems that BellSouth developed

associated with providing these OSS electronic

interfaces. So, some of the systems have been -- You

have had newer systems come on, but it's been a

development process. So, I looked at from the beginning

of the time frame what it would take us to develop the

systems to get us to where we are today.

And I think that's forward looking because it

was a learning process in which you just didn't really

know what the standards would be. And so, therefore,

we've had to develop them as we go along. So, those

costs are legitimate costs that anybody would have

incurred, whether it be BellSouth or anyone else, in

developing systems of this type because you -- The

systems are modified as you move through times, as

requirements change, and as you learn more about the

industry.

    Q   Would you agree that the only forward-looking

incremental costs should be included in a TELRIC study?

Only the forward-looking incremental costs should be

included in TELRIC?

    A   Yes.

    Q   And would you agree that Bellsouth's cost model

may have some OSS elements which are not forward looking?

    A   Not really, because I think I answered that in

1 terms of we looked at what it would take to develop these

2 systems. So, even though the system may have changed or

3 you may have a different version, it's taken us that cost

4 to get there. It's a learning process. It's all new.

5 It's not like I can go out and buy a switch that Lucent

6 has developed over the last, you know, twenty years.

7 This was a learning process that we would go through.

8   So, from that standpoint, beginning at the time

9 we started to develop these systems, I do consider them

10 forward looking.

11   Q   I want to look at your Exhibit DDC-2 on page 6

12 of 9.

13   A   Okay.

14   Q   This portion of the exhibit explains the

15 methodology used to calculate fallout, order costs as a

16 nonrecurring charge. Why does an order fall out?

17   A   Normally, what happens is it's the result of an

18 error in like one of the fields has the wrong number of

19 spaces and the customer line has a slash when it

20 shouldn't have a slash, something of that, and so it

21 doesn't process into the system.

22   Then a little bit later on down the system,

23 if -- and I'll try not to get too far out of my line

24 here. Maybe Mr. Pate can give you some more detail. But

25 for the reason we looked at the costs is that it could

fall out because the wrong information, once it got into

our systems it couldn't process it; it couldn't talk to

one of our existing systems.

Q   So, if ITC^DeltaCom makes an error in an order,

is that considered a fallout order?

A   Yes, if it will not transfer. It if will not

pass all the way through the systems and it falls out and

a service rep has to actually take the order and do

something with it, that's what I'm talking about.

Q   Bellsouth's position is that ITC^DeltaCom is

responsible for labor costs associated with manual entry

of an order when the system is designed to route certain

orders to the local carrier service center. Would you

agree with that statement?

A   I'm going to have to ask you to repeat it.

Q   Okay. I'll read it slowly. Would it be

Bellsouth's position that ITC^DeltaCom is responsible for

labor costs associated with manual entry of an order when

the system is designed to route certain orders to the

LCSC?

A   My understanding is if the order starts out as

an electronic order into the electronic interfaces, then

that is considered an electronic order. A manual order

is an order that, for instance, ITC^DeltaCom originally

would have faxed to us.

Q   All right. But would it be Bellsouth's position, though, that if it was started out as an electronic order but it fell out because of an error, and it caused BellSouth to do some manual, any kind of manual labor to that order, would it then be ITC should be responsible for that cost?

A   I think the answer to that is, yes. And let me explain how it's handled. In the OSS cost study, I talk mainly about the systems because that's where the interest has been. There is a small component associated with this fallout, which is where we are right now. And say, for instance, and without going into the numbers, just let me use an example. Let's say it took ten minutes to handle an order, and the orders would fall out ten percent of the time. Well, in my study I would have taken the ten minutes and multiplied it by the ten percent probability that that would happen, and I would have put one minute, and then multiplied that times a labor rate. So, that's what I use these fallouts for.

So, yes, if it falls out, then every order has a small amount of costs associated with the fallout percentage that's listed here, which is exactly 6.67%. But they do not pay the full manual costs. It is the $6.63. They are charged the manual rate for the LSR.

Q   Do you know whether BellSouth has orders that

1 are designated to fallout even without an error?

2   A   You'll have to ask Mr. Pate that.

3   Q   Going -- I'm sorry, Commissioner.

4   COMMISSIONER JACOBS: As I understand it then,

5 so each LSR picks up some portion of costs having to do

6 with potential fallouts?

7   WITNESS CALDWELL: Correct.

8   COMMISSIONER JACOBS: And you heard the

9 testimony earlier of -- I'm getting real bad with

10 names -- but there was earlier testimony from

11 ITC^DeltaCom that an alternative would be to have only

12 those orders which actually fallout pay that overhead.

13   What's the disadvantage to BellSouth in doing

14 it that way?

15   WITNESS CALDWELL: I think there is -- There's

16 really two issues that have to be looked at here. And I

17 think Dr. Taylor talked a little bit about this when he

18 was talking about the cost efficiency.

19   First of all, if you were to go to the effort

20 and cost of designing a system, let's even assume you

21 could do this, that would never allow any fallout, the

22 cost would be prohibitive because you just never get that

23 level. There is always -- Since a human being is going

24 to put information into a system, at some point you are

25 going to have some level of fallout. That just always

1 happens.

2   The other thing is from an administrative

3 standpoint, it would cost more money for us to -- the

4 small amount of orders you have here, I mean, this is

5 less than ten percent of the orders that would actually

6 ever fallout, to track every one of those orders and then

7 issue a separate bill, it would be cost -- in my mind not

8 only costly for BellSouth to administer that and do the

9 billing, because they'd have to set up all the systems,

10 but then ITC^DeltaCom would have to pay every one of

11 those bills, too. So, they would have to administer it,

12 also.

13   COMMISSIONER JACOBS: Well, you understand the

14 flip side of that argument is that if you have 90% of the

15 bills -- of the orders out there that don't fall out and

16 you're collecting a fee for that from them, kind of

17 argues that there may be an over recovery of this

18 potential cost.

19   WITNESS CALDWELL: The overall amount of money

20 is not over recovered because I only used a small -- I

21 only used a ten percent probability of falling out.

22   COMMISSIONER JACOBS: I see.

23   WITNESS CALDWELL: So, I think from that

24 standpoint I have appropriately looked at -- The amount

25 of money in here is just spread over, in your example,

1 all one hundred percent, rather than just the ones that

2 fall out. But that would still be appropriate because

3 this is the cost effective and efficient way, from an

4 administrative and also from an outlay of money to do all

5 the programming, an efficient way to handle it.

6   COMMISSIONER JACOBS: Thank you.

7 BY MS. CALDWELL (Continuing):

8   Q   Ms. Caldwell, you stated in your response to

9 Commissioner Jacobs that you had used a ten percent

10 assumption. Did you base that ten percent on anything?

11   A   I'm sorry, I was just trying to use ten percent

12 as an example because it was easy to multiply.

13   Q   All right. Well, let's say -- and I don't need

14 to know the numbers, but did you do any studies or look

15 at the actual data when you made certain assumptions in

16 your cost study? Did you look at the number of fallouts

17 and actually get a percentage?

18   A   Yes.

19   Q   And that's what you used?

20   A   Excuse me. Yes. In fact, the actual number

21 that we started with is listed on page 6, where we're

22 looking. The actual fallout rate for 1998 was calculated

23 at 15%. That was an actual number.

24   And then we worked with the individuals that

25 are responsible for the OSS systems. And they gave us

1 estimates that over time this fallout rate would actually

2 start to decrease.

3 And there is some -- In one of my questions I

4 had back to them, well, if it starts to decrease, how

5 about the amount of time to handle the order. Well, the

6 answer back to me was as the amount of fallout actually

7 decreases, the time to handle the order increases. And

8 the reason that that is is because you've solved all your

9 simple problems. Now, you've only got hard problems

10 left. So, therefore it takes longer to handle them. So

11 your time estimate would go up.

12 So, therefore, I think I have looked at it

13 appropriately from a forward-looking standpoint by

14 looking at the amount of time it takes to handle them now

15 with this decrease in fallout rate, yet not including any

16 additional time to handle the more difficult orders.

17 Q I want to go back to an earlier line of

18 questioning on the different types of OSS order

19 processing, the different types that are used by the

20 ALECs. And you indicated that because it was something

21 new to BellSouth and it was a learning process, that you

22 took all of that into account and that, therefore, you

23 felt like it was forward looking and should be -- and all

24 of it should be included.

25 If -- However, are you aware that there is a

1 newer version versus older versions?

2   A   (Witness nods head affirmatively).

3   Q   If you've got a newer version, why would you

4 not just use the cost of the newer version rather than

5 including -- include all three versions?

6   A   Okay.

7   Q   For your ongoing costs.

8   A   I was going to answer it from a development

9 standpoint. Just from the ongoing cost. What we have

10 determined here is these systems are still in place. And

11 for each year, if you look at Exhibit DDC-4, it shows the

12 hardware and maintenance that would be incurred. So,

13 therefore, we have only looked at the costs associated

14 with what would be used on them.

15   The only system I know that is totally going

16 away is the BSOG system. And that's why I revised and

17 refiled the DDC-4 and adjusted the cost down because we

18 did find out that BSOG literally went away.

19   And just to give you an idea, it used basically

20 four processors. And two of those processors were going

21 to be taken away and used by BellSouth in some other

22 area, and two were left to move over to the existing

23 electronic interfaces, these electronic interfaces.

24   So, I went into the study and removed the costs

25 associated with those two systems that were going to be

1 used somewhere else.

2 So, all the equipment that is included in the

3 study and the maintenance on these systems is ongoing

4 during the time period we're looking at.

5 Q I thought earlier in your testimony, when you

6 were describing forward-looking costs, when you would

7 take -- your description I think was a loop -- and you

8 said you would take that loop and you would look at it,

9 if it was a long, like a 20-mile loop, then you would go

10 back and replace it with the most forward-looking

11 technology, which you said would be probably fiber.

12 A Uh-huh.

13 Q It seems to me the same analogy should be

14 applied in this instance where you should look at just

15 the most forward-looking technology, which would be the

16 most updated version and replace all of the costs with

17 just that most forward-looking technology. Why is that a

18 wrong assumption on my part?

19 A Well, and I'm not saying it's necessarily a

20 wrong assumption. I feel that that's what I have done

21 from an ongoing standpoint. We discussed the development

22 and I talked about developing all the systems and why I

23 did that because you're starting from ground zero and

24 that's indicative of the type costs you're going to have

25 starting from ground zero development.

But in the ongoing, my understanding is these systems are not slated for any of them, other than the one I just mentioned, to actually go away. They are still going to be there for some time frame for them to be using, them being the ALECs.

Q   Okay. And from an ongoing standpoint, looking at ongoing costs, would you agree that ALECs use the most efficient -- Would you agree that ALECs that use the most efficient systems will still be charged for the system they are upgraded from?

A   I guess I'm having a little bit of a problem in terms of which is the upgraded system. I'll answer that from a cost standpoint. What's included in the cost is the ongoing costs associated with all the systems because all the systems are available for any CLEC to use.

And, again, you get into the administrative function of trying to see which CLEC uses EDI, which one uses TAG, and trying to maintain all that information. So, rather than that do, we just looked at if you took all the systems, all eight systems, which includes preordering, ordering, and maintenance, and looked at the cost of those systems, that's what is in the $6.63.

Q   So, what you're saying is that ALECs who have let's say upgraded from EDI to TAG, they're still going to pay through the $6.67, they're still going to be

1 paying for all the old systems because it's a

2 conglomerate cost or an aggregated cost?

3   A   In terms of the costs, yes; all the systems are

4 in there. It's just I'm having a little bit of trouble

5 with what's old and what's new and what replaces what.

6 Mr. Pate knows more about that.

7   But from a cost standpoint, what I looked at is

8 my understanding is you can still use EDI. You can use

9 TAG. Those are about the only two I know very much

10 about. And you can use one or the other.

11   And rather than look at each one of the

12 individual systems and try to develop a cost for it when

13 they're all sitting in the same data center, in most

14 cases they're being run many times by the same computer

15 programmers, you have the same OSS support team behind

16 them, all the same individuals working on every one of

17 these systems, rather than try to allocate any of that

18 costs, which becomes very difficult and not necessarily

19 accurate when you try to allocate, we looked at, to the

20 best of our ability, all of the systems. And then we

21 included all the systems' costs, regardless of which one

22 you used. So, if you used EDI, you pay $6.63. Maybe

23 this is what we're getting to. If you used EDI, you pay

24 $6.63. If you used TAG, you pay $6.63.

25   Q   Right. So, it doesn't matter whether you use

1 the most forward looking; you're still going to pay the

2 same costs?

3   A   I just have a problem with you calling it the

4 most forward looking, but you would pay for all the

5 systems, yes.

6   Q   It doesn't matter which one you use, you're

7 still going to pay the same?

8   A   That is correct.

9   Q   Just a few more. Are you familiar -- I think

10 you are familiar with Issue 41, which asks BellSouth if

11 BellSouth should be permitted to charge a disconnect

12 charge when BellSouth does not incur any costs associated

13 with disconnection. I mean, I think that's a statement

14 of the issue.

15   A   Yes, I'm familiar with that.

16   Q   On page 8 of your direct testimony, in lines 5

17 through 6, you state disconnect charges only apply when

18 the ALEC requests that the UNE no longer -- that a UNE no

19 longer be provided by BellSouth.

20   What specific cost does BellSouth seek to

21 recover through disconnection charges assessed to

22 ITC^DeltaCom?

23   A   Give me just one minute.

24   In Exhibit DDC-1 --

25   Q   No, I think we're on page 8 of your direct. I'm

1 sorry.

2   A   Okay. I'm on page 8 of my direct. You were

3 asking me what the disconnect costs were?

4   Q   Right.

5   A   All right. They are listed in Exhibit DDC-1.

6   Q   Okay.

7   A   I'm sorry; I got confused then.

8   Q   Under what circumstances does BellSouth not

9 incur costs during the disconnection process?

10   A   Oh, I misunderstood.

11   Q   Well, the first question was what specific

12 costs does BellSouth seek to recover through its

13 disconnect charges, and you directed me to, that it's

14 listed on that page.

15   A   Yes.

16   Q   So, my next question is under what

17 circumstances does BellSouth not incur costs during the

18 disconnection process.

19   A   I cannot think of one.

20   And let me just clarify, we're talking about a

21 full disconnect, where, for instance, ITC^DeltaCom has a

22 loop today purchased from BellSouth, a UNE, and they

23 disconnect. That loop goes somewhere. It's either going

24 to go back to BellSouth or it's going to go to another

25 ALEC. So, BellSouth physically goes to the collocation

1 area and disconnects that cross connect to take it

2 wherever they need to. So, there is physical activity.

3 And that's the only example of disconnect I can think

4 about.

5   MS. CALDWELL: Okay. That answers all my

6 questions.

7   WITNESS CALDWELL: Okay.

8   MS. CALDWELL: Thank you very much.

9   WITNESS CALDWELL: Okay.

10   COMMISSIONER CLARK: Redirect?

11   MR. ALEXANDER: Yes.

12   REDIRECT EXAMINATION

13 BY MR. ALEXANDER:

14   Q   Ms. Caldwell, do you recall earlier the

15 discussions by Mr. Jones on behalf of DeltaCom regarding

16 I believe it was FCC Rule 51.511 and 51.505?

17   A   Yes.

18   Q   Do you still have a copy of that in front of

19 you, Ms. Caldwell?

20   A   Yes, I do.

21   Q   Would you look at the -- It's actually, this is

22 51.511(a). Can you see the last part of that provision?

23 It says, "and the total number of units of the element

24 that the incumbent LEC is likely to use in offering its

25 own services during a reasonable measuring period;" do

1 you see that phrase?

2   A   Yes, I do.

3   Q   With respect to the electronic and manual

4 interfaces that BellSouth developed for access to its

5 OSS, is there any of that that the incumbent LEC is

6 likely to use in offering its own services?

7   A   No. We will not -- BellSouth will not use

8 those electronic interfaces to process any of their own

9 services.

10   Q   Are there separate charges for manually

11 submitted orders as opposed to electronically submitted

12 orders?

13   A   Yes. The electronic costs were $6.63 and the

14 manual was $20.08.

15   Q   Now, just to be clear, the cost study that

16 you've sponsored in this case for the OSS charges is not

17 for Bellsouth's legacy OSS systems that it uses for its

18 own retail operations; is it?

19   A   That's correct.

20   Q   Is it for just the electronic interfaces and

21 manual interfaces that provide ALECs such as DeltaCom

22 access to BellSouth OSS?

23   A   It's just the electronic interfaces and then

24 the manual is the service rep time to handle the order.

25   MR. ALEXANDER: Okay. No further redirect.

1   COMMISSIONER CLARK: Exhibits.

2   Commissioner Jacobs, I forgot to ask you, did

3 you have any questions?

4   COMMISSIONER JACOBS: No.

5   COMMISSIONER CLARK: Exhibits.

6   MR. ALEXANDER: I believe it's -- we marked it

7 as Exhibit 25. Ms. Caldwell's -- Actually, there's --

8   COMMISSIONER CLARK: We'll move Exhibits 25 and

9 26 into the record.

10   MR. ALEXANDER: I was going to say her direct

11 exhibits are 25 and Exhibit 26 is the rebuttal.

12   MR. JONES: No objection.

13   COMMISSIONER CLARK: Without objection.

14   Thank you.

15   (Exhibit 25 and 26 received into evidence.)

16   COMMISSIONER CLARK: Thank you, Ms. Caldwell,

17 you are done.

18   WITNESS CALDWELL: Thank you.

19   COMMISSIONER CLARK: How about Mr. Scollard? Is

20 there any chance we can get done with him in the next

21 half hour?

22   MR. ALEXANDER: I thought Mr. Pate was next,

23 and that would be longer. But if you want to take

24 Mr. Scollard first, I would think that's a possibility.

25   MR. ADELMAN: We have no objection to switching

1 the order in the interest of getting another witness in

2 tonight.

3   COMMISSIONER CLARK: Let's try and do that

4 because he only has the one issue. And what is it?

5 Meet-point billing.

6   MR. ALEXANDER: Let me make sure he's here and

7 ready.

8   He's here and ready.

9   WITNESS SCOLLARD: I have not been sworn in

10 yet, though.

11   COMMISSIONER CLARK: All right. Stand up and

12 raise your right hand.

13 WHEREUPON,

14   DAVID SCOLLARD

15   was called as a witness on behalf of BellSouth and,

16   having been duly sworn, testified as follows:

17   DIRECT EXAMINATION

18 BY MR. GOGGIN:

19   Q   Mr. Scollard, would you please state your name

20 and address for the record?

21   A   Yes. My name is David Scollard, 600 North 19th

22 Street, Birmingham, Alabama.

23   Q   By whom are you employed?

24   A   BellSouth Billing, Incorporated.

25   Q   Have you previously caused to be prepared and

1 submitted in this matter direct testimony, four pages?

2   A   Yes.

3   Q   Do you have any substantive additions,

4 corrections, or changes to make to that testimony at this

5 time?

6   A   No, I don't.

7   Q   If I were to ask you the same questions that

8 were posed in the prefiled testimony today, would your

9 answers be the same?

10   A   Yes, they would.

11   MR. GOGGIN: I would like to have the testimony

12 inserted into the record as if read.

13   COMMISSIONER CLARK: It will be inserted in the

14 record as if read.

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1   BELLSOUTH TELECOMMUNICATIONS, INC.

2   TESTIMONY OF DAVID P. SCOLLARD

3   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

4   DOCKET NO. 990750-TP

5   AUGUST 16, 1999

6

7

8   Q.   PLEASE STATE YOUR NAME, ADDRESS, AND POSITION WITH

9   BELLSOUTH TELECOMMUNICATIONS, INC.

10

11 A.   I am David P. Scollard, Room 26D3, 600 N. 19th St., Birmingham, AL

12   35203. My current position is Manager, Wholesale Billing at BellSouth

13   Billing, Inc., a wholly owned subsidiary of BellSouth

14   Telecommunications, Inc. In that role, I am responsible for overseeing

15   the implementation of various changes to BellSouth's Customer

16   Records Information System ("CRIS") and Carrier Access Billing

17   System ("CABS").

18

19 Q.   PLEASE SUMMARIZE YOUR BACKGROUND AND EXPERIENCE.

20

21 A.   I graduated from Auburn University with a Bachelor of Science Degree

22   in Mathematics in 1983. I began my career at BellSouth as a Systems

23   Analyst within the Information Technology Department with

24   responsibility for developing applications supporting the Finance

25   organization. I have served in a number of billing system design and

1   billing operations roles within the billing organization. Since I assumed

2   my present responsibilities, I have overseen the progress of a number

3   of billing system revision projects such as the implementation of the

4   1997 Federal Communications Commission ("FCC") access reform

5   provisions, billing of unbundled network elements ("UNE's"), as well as

6   the development of billing solutions in support of new products offered

7   to end user customers. I am familiar with the billing services provided

8   by BellSouth Telecommunications to local competitors, interexchange

9   carriers and retail end user customers.

10

11 Q.   WHAT IS THE PURPOSE OF YOUR TESTIMONY BEING FILED

12   TODAY?

13

14 A.   The purpose of my testimony is to address issue 44 raised by

15   ITC^DeltaCom Communications, Inc. (ITC^DeltaCom) in this

16   proceeding.

17

18 *Issue 44: [ITC^DeltaCom No. 7(b)(ii)] What procedures should*

19 *ITC^DeltaCom and BellSouth adopt for meet-point billing?*

20

21 Q.   WHAT IS BELLSOUTH'S UNDERSTANDING OF THIS ISSUE?

22

23 A.   BellSouth believes the issues associated with Meet Point Billing

24   ("MPB") are those specific details that are either not covered by the

25   broad industry guidelines found in the Ordering and Billing Forum

1   ("OBF") Multiple Exchange Carrier Access Billing ("MECAB") or

2   Multiple Exchange Carrier Ordering Document ("MECOD") documents

3   or are new conditions which exist due to the introduction of local

4   competition where industry standards are still under development. In

5   these situations, it may be necessary for the Parties to reach mutually

6   agreeable interim arrangements until industry guidelines are

7   completed.

8

9 Q.   WHAT SPECIFIC ISSUE IS NOT RESOLVED UNDER THE OVERALL

10   TOPIC OF MEET POINT BILLING IN THIS DOCKET?

11

12 A.   The only remaining issue on meet point billing involves the

13   responsibilities of the parties to notify other interconnecting companies

14   of the meet point billing arrangements made between BellSouth and

15   ITC^DeltaCom. These arrangements impact the rate elements charged

16   by both BellSouth and ITC^DeltaCom to these other interconnecting

17   companies and, therefore, these companies must be provided

18   information pertaining to the arrangements. Over the years, the

19   industry has used the infrastructure surrounding the National Exchange

20   Carrier Association ("NECA") FCC Tariff No. 4 to provide the needed

21   information. As such, the MECAB and MECOD methods are based on

22   the capabilities of this infrastructure. BellSouth's position is that these

23   time tested methods efficiently handle the information needs of all

24   impacted companies. ITC^DeltaCom, however, in Paragraphs 9.9 and

25   9.10 of Attachment 3 of the proposed agreement proposes that the

1   parties will notify other entities of MPB arrangements by the use of

2   other tariff methods since it is not willing to become a member of

3   NECA. BellSouth's position is that this would result in an administrative

4   nightmare for all to develop and administer parallel infrastructures to

5   communicate MPB data.

6

7   As an alternative, BellSouth has proposed that default MPB

8   parameters be used in lieu of the NECA processes. Under this

9   proposal all meet point arrangements will be billed based on a multi-

10   tariff, multi-bill method with the border interconnection percentage

11   ("BIP") fixed at 95% BellSouth and 5% ITC^DeltaCom. In this way, all

12   impacted companies will have a reasonable opportunity to have the

13   information necessary to validate the bills received from both BellSouth

14   and ITC^DeltaCom. This interim method would be discontinued once

15   ITC^DeltaCom begins to use the NECA infrastructure or when the

16   industry develops an alternative solution.

17

18   Q.   DOES THIS CONCLUDE YOUR TESTIMONY?

19

20   A.   Yes.

21

22

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24

25

MR. GOGGIN: This witness is ready for cross.

Excuse me. I'm sorry, Mr. Scollard has a summary.

MS. EDWARDS: Caught me off guard myself.

COMMISSIONER CLARK: Would you like to summarize your four pages of testimony?

WITNESS SCOLLARD: Yes, I would. And it will take somewhat less than four pages to do it.

My testimony in this proceeding addresses Issue 44, meet-point billing. And the issue really boils down to one thing: And will ITC^DeltaCom commit to contract language that insures that the interconnection of its network with BellSouth's network does not hinder BellSouth from providing quality billing to its customers.

And let me explain. When BellSouth and DeltaCom interconnect their networks, many other carriers are impacted by that interconnection. As an example, interexchange carriers are impacted because traffic bound for DeltaCom end users will many times be routed through the BellSouth network. This traffic, which has been handled by both networks, will generate revenues for both networks, and, therefore, both companies will bill the interexchange carrier the appropriate charges based on how much of the route is covered by each of the

1 companies.

2 The industry-defined processes which directs

3 the manner in which BellSouth and DeltaCom will bill for

4 these jointly provided services is generally or

5 generically called meet-point billing. And this brings

6 us to Issue 44.

7 As the interexchange carrier in my example

8 receives the two bills from this traffic jointly handled

9 by DeltaCom and BellSouth, it will need detailed

10 information with which to verify the bills. For example,

11 who is billed for the interoffice transport? Is it

12 DeltaCom? Is it BellSouth? Is it both? Whose tariffs

13 will be used? If both companies are to bill for

14 transport, how much goes to each.

15 This is critical information the IXC will need

16 to verify the accuracy of the bills.

17 BellSouth's position is that this information

18 shall be made available using the long-established

19 processes supported by the National Exchange Carriers

20 Association, NECA. The NECA processes and supporting

21 databases provide reliable, reasonable means for

22 BellSouth and DeltaCom to exchange billing data with our

23 joint customers.

24 BellSouth is asking the Commission to agree

25 with BellSouth that language committing both parties to

1 follow the NECA processes in performing meet-point

2 billing be included in the Interconnection Agreement.

3   Thank you.

4   COMMISSIONER CLARK: Ms. Edwards.

5   MS. EDWARDS: Thank you, Commissioner.

6   CROSS EXAMINATION

7 BY MS. EDWARDS:

8   Q   Good evening, Mr. Scollard.

9   A   Good evening.

10   Q   Neither the FCC nor the National Exchange

11 Carriers Association, or otherwise known as NECA,

12 requires ALECs to file a meet-point billing percentage;

13 isn't that correct?

14   A   I know of no requirement for ALECs to file.

15 That's why we're trying to handle it in the agreements

16 that we have between the companies.

17   Q   Were you here for Mr. Hyde's testimony?

18   A   Yes, I was.

19   Q   Okay. You are aware that currently, between

20 the two parties, there is no current system or no

21 meet -- there is no meet-point billing arrangement

22 between the two parties today; are you aware of that?

23   A   That's not correct. I understand that Mr. Hyde

24 believes there's not, but let me explain why BellSouth

25 feels that there is. And the way to explain that is in

1   the tariffs that was referenced in Mr. Hyde's testimony,

2   I think Mr. Alexander provided it to him, the way that

3   BellSouth bills an interexchange carrier for access is

4   depicted in our tariffs on page 34 of the exhibit that

5   Mr. Alexander provided. And there's a diagram that shows

6   how, how jointly provided services are to be billed.

7   And the fallacy in Mr. Hyde's --

8   COMMISSIONER CLARK: Mr. Scollard?

9   WITNESS SCOLLARD: Yes; I'm sorry.

10   COMMISSIONER CLARK: Let me ask you: Do you

11   think that is Exhibit 21?

12   WITNESS SCOLLARD: I can't remember which

13   exhibit it is.

14   MR. ALEXANDER: I think that's correct.

15   COMMISSIONER CLARK: Okay. Tell me what page

16   you would be on.

17   WITNESS SCOLLARD: It's Section E.2.4.8 of our

18   tariff, page 34. And there's a diagram on page 34 that

19   shows precisely the network interactions or network

20   interconnections that Mr. Hyde had described in his

21   testimony.

22   On the left-hand side of the diagram, there's

23   an end office. And that end office is in Company A's

24   territory. And for the purposes of our interconnection

25   with DeltaCom, that would be DeltaCom's end office.

1 There's also in this diagram an access tandem,

2 which would belong to BellSouth, in the way that Mr. Hyde

3 described DeltaCom's interconnection with BellSouth. And

4 Mr. Hyde had suggested that DeltaCom provides the

5 transport between the DeltaCom end office and Bellsouth's

6 tandem. Well, what he didn't describe is the other side

7 of the coin.

8 And that is the interoffice transport between

9 BellSouth's access tandem and the serving wire center for

10 the interexchange carrier.

11 Now, when BellSouth bills for that interoffice

12 transport, we bill, as you can see in the diagram, the

13 distance between the serving wire center to DeltaCom's

14 end office. Clearly, DeltaCom has not provided all of

15 that transport. They have provided a piece up to the

16 tandem. We have provided a piece to the serving wire

17 center to the customer.

18 So, there is no way that you can say accurately

19 that we don't have a meet-point billing arrangement.

20 BY MS. EDWARDS (Continuing):

21 Q   Isn't it true, though, Mr. Scollard, that you

22 bill from the tandem?

23 A   No, that's not true. As the diagram depicts

24 and the example clearly shows, we bill the 20 miles of

25 interoffice transport. And depicted here it's from

serving wire center to end office. So, it really doesn't

make any difference that DeltaCom is providing half of

that. We are entitled to bill the other half. Or it may

not be half. It's a negotiated percentage on who bills

which piece of the 20 miles.

Q But isn't it also, true, Mr. Scollard, that

today, if this is the procedure we've had for the past

two years, BellSouth has not reported any problems with

this billing arrangement to ITC^DeltaCom; isn't that

true?

A That's true. We have not found any instances

where an IXC has disputed bills because of the failure

for both parties to file in NECA. What we're trying to

do is make sure that, you know, going forward we don't

have those kind of disputes. And the only way to do that

is to use the databases described in NECA.

COMMISSIONER JACOBS: How does the IXC

resolve -- Well, you said they don't dispute, but how do

they resolve their billing now?

WITNESS SCOLLARD: Now, what we've told our

interexchange carriers is that if -- if there are CLECs

that will not file in NECA, we will use a default set of

parameters with which they can verify their bills.

COMMISSIONER JACOBS: So, in that arrangement,

you feel that you get your due revenues and I guess the

1 CLECs do as well since they don't dispute it?

2 WITNESS SCOLLARD: Well, I'm not sure exactly

3 how the CLECs bill for this type of service. I'm

4 assuming they have come up with some way. Sometimes we

5 do and sometimes we don't.

6 BY MS. EDWARDS (Continuing):

7 Q Mr. Scollard, I was flipping through your

8 testimony and I notice that you have not cited to a

9 single provision in the Telecom Act that requires this of

10 ITC^DeltaCom; isn't that true?

11 A Yes, that's true.

12 MS. EDWARDS: Thank you.

13 That's all I have.

14 COMMISSIONER CLARK: Staff.

15 CROSS EXAMINATION

16 BY MS. CALDWELL:

17 Q Good evening, Mr. Scollard. I'm Diana

18 Caldwell. And I think this was just asked, but does

19 BellSouth need ITC to concur in order to file with NECA?

20 A Yes. The processes that NECA set up have some

21 controls built in. And the controls are built in to make

22 sure that both companies are in agreement and the IXCs

23 have information about those agreements.

24 And so what happens is one of the companies

25 will agree to actually go to NECA and file there. And

1 then the other providers will actually log on to the same

2 system and initiate a transaction that says, yes, we

3 agree and we concur with the percentages that BellSouth

4 just added here. So, we can't go by ourselves, no.

5   Q   All right. So, concur would mean that they

6 have to agree to it and they have to be willing to log on

7 to accept the percentages that, say, BellSouth has filed?

8   A   Yes, absolutely.

9   COMMISSIONER CLARK: I'm going to do something

10 I told Mr. Adelman not to do. Why is it called

11 meet-point billing?

12   WITNESS SCOLLARD: I believe it's just to --

13 I'm not exactly sure, but it is to acknowledge the fact

14 that the two networks meet together at some point is the

15 best I can explain it, anyway

16 BY MS. CALDWELL (Continuing):

17   Q   Do you have any understanding as too why

18 ITC^DeltaCom won't agree with you on this meet-point

19 billing?

20   A   It's a little -- It's a little hazy. There's

21 been several reasons. First of all, in one of the

22 states, and I can't remember which one, Mr. Hyde

23 testified that since DeltaCom provides the transport

24 between their end office and our tandem, then it's not a

25 relevant issue.

Well, as you can see from our tariff here in Florida, it is a relevant issue, even in that case.

Even if DeltaCom were providing one hundred percent of the transport, the IXC does not know that unless both companies go and file that. So, that was one issue; they said it was just not relevant.

They brought up issues of the cost of it, but that's about all I can glean from the testimony.

Mr. Hyde this morning, or when he gave his testimony, I believe agreed to concur in the tariffs if we were going to file a hundred percent. So, I think they're in agreement to some extent. It's just a little unclear to which extent. We think they need to file regardless of what the percents are.

MS. CALDWELL: All right. Thank you. That's all I have.

WITNESS SCOLLARD: Thank you.

COMMISSIONER CLARK: Commissioner.

COMMISSIONER JACOBS: No.

COMMISSIONER CLARK: Redirect.

REDIRECT EXAMINATION

BY MR. GOGGIN:

Q   Just one question: You mentioned in response to a question from counsel for DeltaCom, that BST has not reported any problems with its billing arrangements with

1 ALECs.

2   MS. EDWARDS: I object. Actually, that wasn't

3 my question. I said with DeltaCom.

4   MR. GOGGIN: All right. With DeltaCom.

5 BY MR. GOGGIN (Continuing):

6   Q   How long have you been -- has BellSouth been

7 dealing with DeltaCom in this arrangement?

8   A   I believe the agreement is two years old, '96,

9 '97. I don't exactly know how long.

10   Q   In contrast, how far back do Bellsouth's

11 meet-point billing arrangements with other carriers to

12 serve interexchange carriers, other ILECs, how far back

13 do they go?

14   A   I believe they go back not long after

15 divestiture. Probably into the mid to late '80's.

16   Q   Almost from the beginning of Bellsouth's

17 existence?

18   A   It was somewhere probably within five years of

19 that, anyway.

20   Q   Your proposal to do this is then to head off

21 potential future problems?

22   MS. EDWARDS: I'm going to object at this

23 point. I think this is leading.

24   MR. GOGGIN: Okay. Question is withdrawn. And

25 the direct is -- Or the redirect is complete.

1   Thank you, Mr. Scollard.

2   WITNESS SCOLLARD: Thank you.

3   COMMISSIONER CLARK: Thank you, Mr. Scollard.

4   You did not have an exhibit.

5   Okay. You are excused. Maybe there is a

6   flight home.

7   WITNESS SCOLLARD: Twenty minutes ago there

8   was.

9   COMMISSIONER CLARK: Sorry.

10   I think -- I don't think there is any chance

11   we'll be through with either Mr. Pate or Mr. Milner. So,

12   we will adjourn for the evening.

13   What time tomorrow? Nine o'clock?

14   COMMISSIONER JACOBS: Nine sounds good, to be

15   through by lunch time.

16   MR. ALEXANDER: With the hope of -- I was going

17   to say with the hope of finishing, we would be willing to

18   come in earlier than 9:00.

19   COMMISSIONER CLARK: Let me ask a question: Do

20   you have any idea how much, time wise, cross examination

21   you have for Mr. Milner or Mr. Pate?

22   MR. ADELMAN: For Mr. Pate, I believe it will

23   be approximately 45 minutes; for Mr. Milner,

24   approximately one hour.

25   COMMISSIONER CLARK: Staff?

1   MS. CALDWELL: For Mr. Pate, probably about 45

2 minutes, and less than that for Witness Milner.

3   COMMISSIONER CLARK: All right. I think we

4 will start at 9:00 because I know I have a meeting at

5 8:30.

6   COMMISSIONER JACOBS: Okay.

7   MR. ADELMAN: And we will endeavor to shorten

8 that.

9   COMMISSIONER CLARK: That sounds good, but it

10 sounds like we might be able to get out by 1:00, anyway.

11   But thank you all very much and we'll adjourn

12 until 9:00 o'clock tomorrow.

13   (Proceedings in evening recess at 8:00 p.m.).

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