

ORIGINAL

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**
2 **REBUTTAL TESTIMONY**
3 **OF**
4 **ANGELA OLIVER**

5
6 **I. INTRODUCTION**

7 **Q. Please state your name, occupation and business address.**

8 A. My name is Angela Oliver. I am employed by Sprint Communications
9 Company Limited Partnership ("Sprint") as Regulatory Manager – Access
10 Planning. My business address is 7171 West 95th Street, Overland Park,
11 Kansas, 66212.

12
13 **Q. Are you the same Angela Oliver who previously filed Direct Testimony in**
14 **this proceeding?**

15 A. Yes, I am.

16
17 **Q. What is the purpose of your Rebuttal Testimony?**

18 A. I will respond to BellSouth witness Mr. Ruscilli's testimony with respect to the
19 following topics in connection with Issue No. 9: 1) routing of local 00- calls
20 over access trunks, and 2) combining multi-jurisdictional traffic over any type
21 trunk group. I will also respond to Mr. Ruscilli's comments with regard to
22 Issue 28(a) and (b), concerning two-way trunks.

23
24 **Issue 9**

25 **Routing Local Calls Over Access Trunks**

1 **Q. Mr. Ruscilli outlines on page 42 of his Direct Testimony his**
2 **interpretation of what Sprint is requesting with regard to Issue 9. Please**
3 **describe again exactly what Sprint is requesting.**

4 A. Sprint's request with respect to Multi-Jurisdictional Trunking is two-fold. First,
5 Sprint is requesting the flexibility to use its existing or new access trunks
6 between the Sprint network and the BellSouth network for the routing of local
7 traffic. Second, Sprint will determine the jurisdiction of operator traffic based
8 on the end-to-end points of the call and not the routing of the traffic. Once the
9 jurisdiction of the call is determined, Sprint will compensate BellSouth
10 accordingly by paying access for access calls and local interconnection rates
11 for local calls. In the alternative, Sprint requests the ability to route all (00-)
12 traffic over local interconnection trunks, some of which may be determined to
13 be access traffic and then billed according to BellSouth's access tariff.

14

15 **Q. On pages 42-43, lines 1-3 of his testimony, Mr. Ruscilli asserts that**
16 **Sprint is not prohibited from routing local (00-) traffic over existing**
17 **access facilities at access rates. Please comment.**

18 A. It is technically feasible for Sprint to utilize existing facilities procured in its
19 capacity as an interexchange carrier to route local (00-) traffic. Sprint is
20 requesting this arrangement from BellSouth in order to preserve the
21 efficiencies of its all-distance network by routing local, intraLATA, and
22 interLATA calls over existing Feature Group D trunk groups. Mr. Ruscilli's
23 suggestion that Sprint pay access for local calls imposes the type of economic
24 barriers to entry the FCC's rules were designed to prevent. Choice of trunk
25 routing should not determine the jurisdiction of a call.

1 **Multi-Jurisdictional Traffic Over Any Type Trunk Group**

2

3 **Q. Please comment on Mr. Ruscilli's testimony at page 44 where he talks**
4 **about the technical feasibility of Sprint's request regarding routing**
5 **multijurisdictional traffic over any type trunk group. BellSouth states**
6 **that "the existing access service arrangements do not permit Sprint to**
7 **receive the service it has requested."**

8 A. As I stated in my Direct Testimony, it is technically feasible and in fact, it is an
9 industry-wide practice to combine interLATA and intraLATA traffic on the
10 same trunk group. For a detailed explanation, please refer to my Direct
11 Testimony at pages 5 - 6. Sprint is merely requesting to utilize new or existing
12 access trunks to route multi-jurisdictional traffic in order to preserve the
13 efficient trunking network already in place. Sprint's request will not cause
14 BellSouth to modify the way in which the traffic will be routed. Sprint is asking
15 BellSouth to recognize that different jurisdictions of traffic can be routed over
16 the same trunk group. The existing access service arrangements don't
17 contain pricing for local traffic; therefore, Sprint has committed to BellSouth
18 that Sprint will implement the necessary processes to measure and accurately
19 report the various types of jurisdictional traffic on the combined trunk group.
20 Sprint will ensure that BellSouth is accurately compensated for the various
21 types of traffic on the combined trunk group.

22

23 **Q. Have the technical experts of Sprint and BellSouth met to determine the**
24 **technical feasibility of Sprint's request to combine multi-jurisdictional**
25 **traffic over any type trunk group?**

1 A. Yes. Sprint and BellSouth have met in person and have conducted several
2 conference calls to discuss Sprint's request to combine multi-jurisdictional
3 traffic over any type trunk group. The technical experts from Sprint are
4 continuing to work with the BellSouth representatives to help them better
5 understand what Sprint is requesting.

6
7 **Q. What action is BellSouth recommending this Commission take on this**
8 **portion of Issue No. 9?**

9 A. BellSouth does not take a definitive position on their recommendation for
10 combining multi-jurisdictional traffic on the same trunk group, but rather
11 alludes to the fact that this request is complex for BellSouth from both a policy
12 and technical perspective. As I indicated before, Sprint and BellSouth are
13 continuing to work together to define the details of Sprint's request. BellSouth
14 implies that to implement this arrangement would require manual adjustments
15 to their processes. This argument is without merit.

16 FCC Rule 51.5, 47 CFR § 51.5 states:

17 *A determination of technical feasibility does not*
18 *include consideration of economic, accounting,*
19 *billing, space, or site concerns, except that space*
20 *and site concerns may be considered in circumstances*
21 *where there is no possibility of expanding the space*
22 *available. The fact that an incumbent LEC must*
23 *modify its facilities or equipment to respond to such*
24 *requests does not determine whether satisfying such*
25 *request is technically feasible.*

1 Since Sprint's proposal is clearly technically feasible, the Commission has the
2 authority to move forward and require BellSouth to comply with Sprint's
3 request.

4

5 **Q. What action does Sprint request this Commission take on Issue No. 9?**

6 A. Sprint requests this Commission to grant Sprint the flexibility to interconnect
7 its network with BellSouth's network based on technical feasibility, in order to
8 preserve the efficiencies Sprint has built into its all distance network.
9 Specifically, Sprint would like the Commission to grant the following: 1)
10 flexibility to route multi-jurisdictional traffic over new and existing access and
11 interconnection trunk groups, and 2) the flexibility to route local (00-) traffic
12 over new and existing access trunk groups. In addition, Sprint will continue to
13 work diligently with BellSouth on implementation issues in order to alleviate
14 BellSouth's concerns regarding the complexity of this request.

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Issue 28

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Two-Way Trunks

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19 **Q. In connection with Issue 28, has Sprint proposed contract language that**
20 **makes two-way trunking available upon requests?**

21 A. Yes it has. Sprint has proposed the following language: "The Parties may
22 interconnect using one-way, two-way or Supergroup interconnection trunking
23 for the receipt and delivery of Local, IntraLATA and InterLATA Toll and Transit
24 Traffic between the Parties as set forth herein."

25

1 Sprint desires to combine as much traffic as economically justified on a
2 common trunk group. Trunks can be one-way or two-way. Various types of
3 traffic warrant different trunking schemes. The FCC recognized the benefits
4 of two-way trunking by ordering ILECs to make it available upon a CLEC's
5 request (*Local Competition Order* at Paragraph 219). Therefore, for network
6 efficiency benefits for both companies, Sprint is requesting the flexibility to use
7 either one-way or two-way trunking or a combination of trunking arrangements
8 for certain traffic types as specified by Sprint.

9

10 **Q. Has BellSouth agreed that it is obligated to provide two-way trunks to**
11 **Sprint?**

12 A. Yes. In Mr. Ruscilli's testimony on page 76, lines 13-14, BellSouth admits to
13 its obligation to provide two-way trunks to Sprint.

14

15 **Q. Is there any reason for Sprint to believe that BellSouth will not fulfill its**
16 **obligation to provide two-way trunks to Sprint?**

17 A. Yes. BellSouth's position on two-way trunks is inextricably linked to its
18 position on designation of the network Points of Interconnection ("POI") as
19 discussed in Melissa Cloz's testimony. Since BellSouth believes that it has
20 the right to designate the POI for its originated traffic, BellSouth also believes
21 that mutual agreement is necessary on the location of the POI for two-way
22 trunks. Under this arrangement, if BellSouth is unable to agree with Sprint on
23 the location of the POI, then two-way trunks effectively become unavailable to
24 Sprint.

25

1 **Q. Is there any other reason for Sprint to believe that BellSouth will not**
2 **fulfill its obligation to provide two-way trunks to Sprint?**

3
4 A. Yes, even assuming that the mutual agreement that BellSouth believes is
5 required on the location of the POI is reached and the Parties therefore agree
6 to use two-way trunks, BellSouth seeks to reserve the right to place any and
7 all of its originated traffic on separate one-way trunks, thereby nullifying the
8 benefits of two-way trunks. Mr. Ruscilli on page 76, lines 19-23, of his
9 testimony states "BellSouth is obligated to put its originating traffic over two-
10 way local interconnection trunks only where traffic volumes are too low to
11 justify one-way trunks. In all other instances, BellSouth is able to use one-
12 way trunks for its traffic if it so chooses." This position certainly cannot be
13 reconciled with a plain reading of the governing FCC rules.

14
15 **Q. Does Sprint agree with BellSouth's position?**

16 A. No. BellSouth's position that it can use one-way trunks in lieu of two-way
17 trunking as requested by Sprint should be rejected because the FCC requires
18 ILECs to provide and use two-way trunks if requested by a new entrant. 47
19 CFR 51.305(f) states that "If technically feasible, an incumbent LEC shall
20 provide two-way trunking upon request." It is apparent that nothing in this
21 regulation supports BellSouth's position to use one-way trunking for its traffic if
22 an ALEC such as Sprint requests two-way trunking. Also, as I stated in my
23 direct testimony, if BellSouth refuses to use the two-way trunks, the trunks will
24 no longer be functioning as two-way trunks. Accordingly, the efficiencies of

1 using two-way trunks will be completely lost to Sprint, and the intent of FCC
2 Rule 305(f) will have been frustrated.

3

4 **Q. On page 76 of his testimony, Mr. Ruscilli's claims that BellSouth is only**
5 **obligated to put its originating traffic over two-way local interconnection**
6 **trunks where traffic volumes are too low to justify one-way trunks.**
7 **Please comment.**

8 A. Mr. Ruscilli has mischaracterized BellSouth's obligation to provide two-way
9 trunking. BellSouth's obligation to provide two-way trunking is clearly outlined
10 in Paragraph 219 of the Local Competition Order. The paragraph reads as
11 follows:

12 *We identify below specific terms and conditions for*
13 *Interconnection in discussing physical or virtual*
14 *Collocation (i.e., two methods of interconnection).*
15 *We conclude here, however, that where a carrier*
16 *requesting interconnection pursuant to section 251(c)(2)*
17 *does not carry a sufficient amount of traffic to justify*
18 *separate one-way trunks, an incumbent LEC must*
19 *accommodate two-way trunking upon request where*
20 *technically feasible. Refusing to provide two-way*
21 *trunking would raise costs for new entrants and create*
22 *a barrier to entry. Thus, we conclude that if two-way*
23 *trunking is technically feasible, it would not be just,*
24 *reasonable, and nondiscriminatory for the incumbent*
25 *LEC to refuse to provide it.*

1 Paragraph 219 does not refer to BellSouth as the carrier lacking sufficient
2 traffic volumes to justify one-way trunks. The quote from paragraph 219
3 refers to the instance "where a carrier requesting interconnection pursuant to
4 section 251 (c)(2)" (i.e., the ALEC - Sprint) does not have sufficient traffic
5 volumes to warrant separate one-way trunks. To state it another way,
6 Paragraph 219 permits the ALEC, not BellSouth, to use one-way trunks if the
7 ALEC's traffic warrants one-way trunks. If the ALEC does not have the traffic
8 volumes to justify separate one-way trunks, then BellSouth is obligated to
9 provide two-way trunks upon request by the ALEC.

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11 **Q. Does this conclude your Rebuttal Testimony?**

12 **A.** Yes, it does.

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