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August 12, 2003

Mrs. Blanca Bayo, Director
Division of Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 030349-TP -   SUPPLEMENTAL DIRECT TESTIMONY
      OF DAVID A. NILSON

Dear Mrs. Bayo:

Enclosed is the original and seven (7) copies of Supra Telecommunications and
Information Systems, Inc.'s (Supra) Supplemental Direct Testimony of David A. Nilson in the
Above captioned docket.

A copy of this letter in enclosed. Please mark it to indicate that the original was filed and
return to me.

Sincerely,

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

Jorge Cruz-Bustillo /JWA

Jorge Cruz-Bustillo
Assistant General Counsel

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CAE _____
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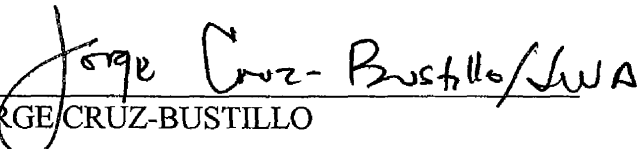ECR _____
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MMS _____
SEC   1
OTH _____

CERTIFICATE OF SERVICE
Docket No 030349-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Facsimile, Hand Delivery, U.S. Mail and/or Federal Express this 12th day of August 2003 to the following:

Ms. Linda Dodson, Esq.
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Ms. Nancy B. White, Esq.
C/o Nancy H. Sims
150 South Monroe Street, Suite 400
Tallahassee, FL 32302
(850) 222-1201 (voice)
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By: _____
JORGE CRUZ-BUSTILLO

1   SUPRA TELECOMMUNICATIONS & INFORMATION SYSTEMS, INC.

2   SUPPLEMENTAL DIRECT TESTIMONY OF DAVID A. NILSON

3   August 12, 2003

4   **Q. PLEASE STATE YOUR NAME AND ADDRESS**

5   A. David A. Nilson. My address is 2620 SW 27th Avenue, Miami, Florida 33133.

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

7   A.   The Exhibits presented as part of my direct testimony are each a single, complete response

8   by BellSouth to a previous interrogatory. As such each is reproduced in its entirety according to the

9   rules of evidence.

10   **Q. WHAT IS THE PURPOSE OF EXHIBIT DAN-1?**

11   A.   DAN-1 is a letter contained in DAN-7. This letter is identified by BellSouth for use in

12   Operation Sunrise. The "notification" MKIS receives identifying the customer, targeted to receive

13   this letter, is exclusively derived from a CLEC LSR which is transformed into a CLEC service order

14   (i.e. change order).

15   B.   Q.PLEASE DEFINE CARRIER-TO-CARRIER INFORMATION?

16   C.   A. Carrier-to-carrier information also known as wholesale information includes "notice" of

17   a customer switch. Information regarding a carrier change cannot be used to target that customer, so

18   long as the information or notice or knowledge of the switch was exclusively derived from

19   BellSouth's status as the executing carrier. The FCC stated in Order No. 99-223, ¶77, that: "Where

20   a carrier exploits "**advance notice**" of a customer change by virtue of its status as the underlying

21   network facilities or service provider to market to that customer, it does so in violation of section

22   222(b)." Furthermore, Section 222 defines customer proprietary network information to include:

23   (h)(1)"information that relates to . . . destination, location . . . of use of a telecommunications service

1 ..." Updating CRIS of a completed conversion has absolutely nothing to do with "notifying" internal

2 retail marketers (i.e. MKIS) that a customer has in fact switched. The knowledge of the switch is

3 information r egarding the "destination" and/or "location" o f w here t he c ustomer n ow r eceives

4 service. The fact that BellSouth may allegedly suppress the name of the new carrier, does not

5 diminish the fact that BellSouth's wholesale operations has "**shared**" with its retail operations that

6 the customer has **changed** his "destination" and/or "location" regarding where the customer receives

7 service. The existence of the "switch order" itself is not only carrier-to-carrier wholesale

8 information, but can also be separately considered CPNI and the type of proprietary carrier-to-carrier

9 information Section 222 was designed to protect. Disconnect codes that BellSouth generates, as a

10 consequence of the CLEC LSR, to identify that the customer has switched is <u>also considered to be</u>

11 wholesale information. **BellSouth agrees with this fact**. See DAN-6, Bate Stamp 000079 and

12 000144. But for the switch, the codes would not have been generated.

13 **Q. WHAT SECTIONS OF DAN-6 DOES SUPRA RELY ON?**

14 A.   In demonstrating the way in which Operation Sunrise operates with respect for training

15 purposes for BellSouth employees and supervisors, Supra intends to rely on the following pages in

16 DAN-6: **Bates Stamp 16-42, 43-89** -- Competitive Operating Requirements, Corporate mandated

17 re-training module regarding "standards", "ethics" "integrity" vs. "Negative Selling," "**Competitive**

18 **Information and how it is collected**" and "Mandatory Guidelines. **Bates Stamp 117-159** –

19 Instructor training for above, including CAMS and vendors training for handling "Competitive" data.

20 **Bates Stamp 464-473** – Documentation of the various types, and reasons for disconnect orders and

21 how they come about.

3

1   Q. **WHAT IS THE PURPOSE OF EXHIBIT DAN-7?**

2   A.   To show the decision-making processes involved in the creation and operation of "Operation

3   Sunrise." Supra intends to rely upon the following pages: **Bates Stamp 692-711, 841-853** -- Meeting

4   minutes addressing the creation and evolution of policy. Identification of problems that would reduce

5   the number of win-back candidates, and steps taken to increase that number. **Bates Stamp 712-770**

6   -- Operation Sunrise Project charter, January 11, 1996, Purpose **(713-715)**, Scope **(716-723)** showing

7   the clear emphasis on winback, the source of data being the result of ALEC orders[1], and the

8   dissemination of this data to third parties[2] **(Bates 717, 719)**. It further details the "Service Orders will

9   be generated by the vendors, either manually or through their own interfaces." **Bates 722** provides

10   documentation for the roles of BellSouth departments and external vendors. **Bates Stamp 746-770**

11   -- Operation Sunrise Winback Analysis Phase. Purpose, goals and Business area strategy model **(748-**

12   **754)**, including identification of "valuable" customers, and system improvement using "feedback

13   loops)[3], the 24 hour execution of winback[4], Operations model **(755-756)** showing "holes" in the plan

14   that needed to be addressed for more complete coverage (i.e. calls to BellSouth business office bypass

15   Sunrise[5] and the workarounds that address them. The use of DMC / Equitel to reinstate service

16   (requiring Equitel to possess CPNI in order to create the winback service order)[6], and the feedback,

17   through GIMI, to RNS and the retail operation of all "switcher" accounts, even when generated from

18   wholesale orders.[7] **Bates Stamp 757-770** – Information models defining transactions, triggering

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[1]   SOCS and CARE.
[2]   DMC(Equitel) and Rapp Collins Worldwide.
[3]   Bates 753, final paragraph.
[4]   Bates 754, para 2.
[5]   Bate 756, para 6.
[6]   Bate 755 – Diagram. Bate 756, para 5
[7]   Bate 756, para 1.

1 events, data feeds, data entity relationships diagram[8], data delivery timing and operational standards

2 necessary to understand the operation and flow of data. **Bates Stamp 771-797** -- Conceptual System

3 Design, documenting the existing, and future the capabilities of the system, on January 11, 1996.

4 **B.** **Bates Stamp 798-808** -- The low cost of implementing the RNS interface to retail and other

5 project programming, in support of my direct testimony in regard to the ease of implementing the

6 simple programming necessary. **Bates Stamp 809-840** -- Implementation timeline issues.

7 **Q. WHAT IS THE PURPOSE OF EXHIBIT DAN-8?**

8 A. The purpose of Exhibit 8 is to document BellSouth policy and procedures "... to identify,

9 quantify, contact, and track those residential customers who have selected a local service or local toll

10 carrier other than BellSouth."[9] as it existed on April 27, 2000. This exhibit is an older revision of the

11 same document as DAN-9, to which BellSouth does not object. This document will be used to

12 demonstrate that certain BellSouth activities that did occur. DAN-8 is a snapshot of the policies that

13 led to activities prior to the release of DAN-9 and is essential in understanding the time relationship

14 of BellSouth's activities.

15 **Q. WHAT IS THE PURPOSE OF EXHIBIT 19?**

16 A. To identify specific issues related to the technical design of the Sunrise system that is contrary

17 to BellSouth's position relative to the use of CPNI.

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

19 A. Yes, this concludes my testimony.

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[8] Entity Relationship Diagrams are used to define the varies data and relationship types, and the delivery of data to 3rd party (lettershop), Equitel, and BellSouth retail (GIMI).
[9] Exhibit DAN-8, page 1, para 1.

1   FURTHER AFFIANT SAYETH NAUGHT.

2

3   .

4   David Nilson

5

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7

8

9   STATE OF FLORIDA   )

10   ) ss:

11   COUNTY OF MIAMI-DADE   )

12

13   SWORN to and subscribed before me this _____ day of June, 2003.

14

15

16   NOTARY PUBLIC

17

18   Sign:

19   Print:

20   State of Florida   My Commission Expires:

21