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BellSouth Telecommunications, Inc.
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June 1, 2004

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

Re: Docket No. 030829-TP (FDN Complaint)

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Supplemental Direct Testimony of Cynthia A. Clark, which we ask that you file in the above referenced docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Meredith Mays/RH
Meredith Mays

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

539776

DOCUMENT NUMBER-DATE

06231 JUN-1 3

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
DOCKET NO. 030829-TP**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via
Electronic Mail, Hand Delivery* and/or FedEx this 1st day of June, 2004 to the following:

Lee Fordham*
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Meredith E. Mays

(+) signed Protective Agreement
(*) Hand Delivery

1 BELLSOUTH TELECOMMUNICATIONS, INC.
2 SUPPLEMENTAL DIRECT TESTIMONY OF CYNTHIA A. CLARK
3 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
4 DOCKET NO. 030829-TP
5 JUNE 1, 2004
6

7 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND**
8 **POSITION WITH BELLSOUTH TELECOMMUNICATIONS, INC.**
9 **(HEREINAFTER REFERRED TO AS "BELLSOUTH" OR "THE**
10 **COMPANY").**
11

12 A. My name is Cynthia A. Clark. I am employed by BellSouth as a Senior Staff
13 Manager in BellSouth's Accounts Receivable Management Organization. My
14 business address is 2300 Northlake Centre, Tucker, Georgia 30084.
15

16 **Q. PLEASE DESCRIBE YOUR CURRENT RESPONSIBILITIES.**
17

18 A. I currently have responsibility for supervising the dispute escalation staff. The
19 group handles accounts receivable management, including collections and
20 billing disputes, for all of the Company's interconnection business.
21

22 **Q. PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**
23 **CAREER EXPERIENCE.**
24
25

1 A. I received a Bachelor of Arts degree in Accounting from Auburn University in
2 Auburn, Alabama in 1978. I began employment at BellSouth in June 1998,
3 and have held various positions in BellSouth's Billing and Collections for
4 wholesale services.

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

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10 A. The purpose of this testimony is to update and quantify BellSouth's view of
11 Florida Digital Network's ("FDN's") disputes related to UNE Rate Zone
12 Changes and Disconnect charges to take into account the parties' efforts to
13 reconcile the amounts in dispute.

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15

16 BellSouth's view of FDN's disputes regarding Disconnect Orders is as
17 follows:

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19 Q Accounts	\$87,070.48
20 N Accounts	\$30,468.10
21 Total	\$117,538.58

22

23

24 BellSouth's view of FDN's disputes regarding UNE Zone changes is as
25 follows:

26

27 Q Accounts	\$23,820.46
28 N Accounts	\$74,420.66
29 Total	\$98,241.22

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1 Q. WHY ARE THESE AMOUNTS DIFFERENT THAN THE AMOUNTS
2 SET FORTH IN YOUR APRIL 16, 2004 TESTIMONY?

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4 A. The amounts differ for two reasons. First, BellSouth has made its best efforts
5 to use the most current information it has in its records. Second, BellSouth has
6 attempted to reconcile its records with information it received from FDN. The
7 different numbers result from using FDN's records, as appropriate, and the
8 most current information in BellSouth's records.

9
10 Q. PLEASE ELABORATE.

11
12 A. BellSouth asked FDN to provide the total amounts in dispute in discovery.
13 FDN's response to BellSouth's Interrogatory No. 28 provided such amounts;
14 however, the amounts in the discovery responses vary from the amounts
15 reflected in FDN's complaint. BellSouth compared FDN's discovery
16 responses to BellSouth's records, which records formed the basis of my April
17 16th testimony.

18
19 After receiving FDN's discovery responses, BellSouth asked FDN to provide
20 back-up information that correlated to those amounts. FDN provided all open
21 dispute data relating to its Q accounts, but did not provide any dispute data
22 relating to its N accounts. As a result, BellSouth is unable to reconcile FDN's
23 discovery responses with the BellSouth records. BellSouth has requested
24 additional information from FDN but, to date, no such information has been
25 provided.

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Moreover, the information FDN provided relating to its Q accounts failed to resolve the discrepancy between the parties. BellSouth reviewed FDN's data, but could not reconcile the information in FDN's discovery response with the backup data FDN provided.

**Q. WHAT DATA DID YOU RELY UPON TO REACH THE AMOUNTS
CONTAINED IN THIS TESTIMONY?**

A. I have attached collectively as Exhibit CAC-1, a CD of the supporting workpapers that I relied upon to derive the amounts set forth in this testimony. These workpapers include the billing information BellSouth received from FDN as well as information from BellSouth's billing systems. BellSouth is requesting that the Commission treat this material as confidential since it contains customer specific billing data. BellSouth used FDN's Q Account records as the basis for the disputed amounts for both disconnect orders and UNE zone changes. However, even using FDN's records, BellSouth could not match the numbers FDN provided in response to Interrogatory 28 with the records FDN provided in response to BellSouth's request for backup data. The Q account amounts referenced in this testimony are those disputes that BellSouth could verify.

Included within the attached workpapers are the BellSouth records relating to FDN's N accounts. BellSouth used its records as the basis for the disputed

1 amounts relating to the FDN's N accounts because it had no other records from
2 FDN on which it could rely.

3
4 **Q. PLEASE QUANTIFY THE DISPUTED DISCONNECT CHARGES**
5 **THAT BELL SOUTH CANNOT RECONCILE.**

6
7 A. With respect to disconnect orders relating to FDN's Q accounts, using FDN's
8 verified data, BellSouth believes the amount in dispute is \$87,070.48 and not
9 the \$116,777.64 contained in FDN's discovery response.

10
11 With respect to disconnect orders relating to FDN's N accounts, using
12 BellSouth's most current data, BellSouth believes the amount in dispute is
13 \$30,468.10, and not the \$33,873.59 amount contained in FDN's discovery
14 response.

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16 **Q. PLEASE QUANTIFY THE DISPUTED UNE ZONE CHANGES THAT**
17 **BELL SOUTH CANNOT RECONCILE.**

18
19 A. With respect to UNE zone changes relating to FDN's Q accounts, using FDN's
20 verified data, BellSouth believes the amount in dispute is \$23,820.46 and not
21 the \$79,300.14 contained in FDN's discovery response.

22
23 With respect to UNE zone changes relating to FDN's N accounts, using
24 BellSouth's most current data, BellSouth believes the amount in dispute is

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1 \$74,420.60, and not the \$77,402.32 amount contained in FDN's discovery
2 response.

3

4 **Q. PLEASE SUMMARIZE THE RESULTS OF YOUR ANALYSIS.**

5

6 **A.** The validated dispute amounts based on my review of the available records are
7 shown below (in total):

8 Disconnect Orders – \$117,538.58

9 UNE Zone changes – \$98,241.22

10 Total - \$215,779.80

11 BellSouth has filed a counterclaim against FDN in which it has requested that
12 FDN pay all outstanding and unpaid amounts relating to the disconnect orders
13 and UNE zone changes. At present, the validated amount that BellSouth is
14 requesting is \$215,779.80. BellSouth is also requesting that this Commission
15 order FDN to pay late payment charges in the amount of \$57,219.73. The late
16 payment charge amount is based upon the applicable late payment charges
17 contained within the parties' agreement, and is calculated using simple interest
18 on the rolling outstanding balance. These calculations are also contained
19 within CAC-1.

20

21 Because BellSouth was unable to reconcile the amount in dispute with FDN,
22 BellSouth cannot confirm the total unpaid amounts FDN has withheld related
23 to these issues. Since FDN has represented the amount in dispute as a
24 significantly higher amount, \$307,353.69 in total, it is likely that FDN has
25 withheld that amount from its payments. The difference may be caused by

1 FDN including disputes in its calculations that relate to matters other than
2 those raised in its complaint. Consequently, in reaching its decision in this
3 case, BellSouth requests that the Commission order FDN to pay the verified
4 disputed amounts, plus applicable late payment charges, and also direct the
5 parties to cooperatively resolve the remaining discrepancy so that BellSouth is
6 fully compensated by FDN for all unpaid amounts relating to disconnect
7 charges and UNE rate zone changes.

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

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11 **A. Yes.**

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