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BELLSOUTH TELECOMMUNICATIONS, INC.
REBUTTAL TESTIMONY OF KEITH MILNER
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 951180-TP
NOVEMBER 1, 1996

Q. Please state your name, address and position with BellSouth Telecommunications, Inc. ("BellSouth" or "The Company").

A. My name is W. Keith Milner. My business address is 675 West Peachtree Street, Atlanta, Georgia 30375. I am a Director - Strategic Management for BellSouth Telecommunications, Inc.

Q. Are you the same W. Keith Milner who filed direct testimony in this docket?

A. Yes.

Q. What is the purpose of your rebuttal testimony being filed today?

A. My testimony is filed in rebuttal to direct testimony filed in this proceeding by Mr. Tony H. Key of Sprint. Specifically, I will address four

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1 issues for which no agreement between BellSouth and Sprint has been
2 reached. Those issues are:

3

4 1. The provision of functionality referred to as local switching with
5 selective routing that, if technically feasible, would allow the
6 routing of calls from Sprint customers to Sprint directory
7 assistance and other operator services platforms rather than to
8 BellSouth's directory assistance and operator services platforms.

9 2. The amount of capacity that is appropriate for BellSouth to
10 reserve for its use in conduits, ducts, poles or rights of way that
11 BellSouth owns or over which BellSouth has control.

12 3. The protection of proprietary information contained in certain
13 engineering records pertaining to those conduits, ducts, poles or
14 rights of way.

15 4. The provision of parity access to switch features, overflow and
16 congestion controls, equipment and interface protection, power
17 redundancy and spare equipment.

18

19

20 ***Local Switching With Selective (Selective) Routing***

21

22 Q. Please define the Network Element Local Switching.

23

24 A. Local Switching is the Network Element that provides the functionality
25 required to connect the appropriate originating lines or trunks wired to

26

1 the Main Distributing Frame (MDF) or to the Digital Cross Connect
2 (DSX) panel to a desired terminating line or trunk.

3

4 Q. Will BellSouth provide the unbundled network element Local
5 Switching?

6

7 A. Yes, however, as was stated in my direct testimony in this proceeding,
8 BellSouth does not agree with the definition of local switching as has
9 been used by Sprint.

10

11 Q. How are BellSouth's and Sprint's definitions of Local Switching
12 different?

13

14 A. As pointed out in my direct testimony in this proceeding, Sprint has
15 defined Local Switching as having a new functionality referred to as
16 selective routing (or "customized" routing as referred to in the FCC's
17 Order).

18

19 Q. What is your understanding of the FCC's conclusions regarding the
20 technical feasibility of unbundling this Network Element?

21

22 A. It is important to note that the FCC's criteria for technical feasibility
23 refers to the capabilities of an individual switch rather than the more
24 general expression of the capabilities of a given switch type.
25 Specifically, the FCC apparently concluded that selective routing is

1 technically feasible because "many" switches are capable of providing
2 such selective routing. The FCC recognized, however, that there are
3 differences in the capabilities of the various switches to accommodate
4 selective routing. BellSouth believes that it was on the basis of these
5 differing capabilities that the FCC limited its requirement to provide
6 selective routing to those switches that are capable of providing such
7 selective routing.

8
9 Q. Please summarize BellSouth's opinion of the technical feasibility of
10 selective routing.

11
12 A. BellSouth believes that a conclusion that selective routing is technically
13 feasible because it can be accommodated in **some** switches is **not** the
14 test the FCC intended to adopt. **None** of the switches in BellSouth's
15 network in Florida that BellSouth studied are capable of
16 accommodating selective routing for more than eight ALECs.

17
18 ***RESERVATION OF CAPACITY IN POLES, DUCTS, CONDUITS AND***
19 ***RIGHTS OF WAY***

20
21 Q. Please discuss BellSouth's position regarding the amount of space in
22 conduits or on poles it should be allowed to reserve.

23
24 A. BellSouth will provide Sprint equal and non-discriminatory access to
25 poles, duct, conduit (excluding maintenance spares), entrance facilities,

1 and ROW under BellSouth's control which is not currently in use and
2 not required by BellSouth as a maintenance spare. This equal and
3 non-discriminatory access shall be on terms and conditions equal to
4 that provided by BellSouth to itself or to any other party, except that
5 such access shall not include BellSouth's maintenance spares. Terms
6 and conditions of such access shall not include the mandatory
7 conveyance of BellSouth's interest in real property involving third
8 parties.

9

10 Q. Please explain BellSouth's current position regarding spare
11 maintenance capacity on poles and in conduits.

12

13 A. BellSouth does not propose to give access to its maintenance spares
14 at any time. A maintenance spare is simply a place reserved on the
15 pole or in the conduit in which BellSouth can place facilities quickly in
16 response to emergency situations such as cut or destroyed cables.
17 Reserving a maintenance spare is standard telecommunications
18 industry practice. Extensive delays in service restoration will be
19 experienced if BellSouth's maintenance spare is forfeited.

20

21 Q. What is your understanding of the FCC's conclusions regarding the
22 issue of the amount of space in conduits or on poles that BellSouth
23 should be allowed to reserve?

24

25

1 A. In the issue at hand, the FCC apparently concludes that BellSouth may
2 not reserve space in conduits or on poles for its own uses differently
3 than it would allow competitors to reserve space in BellSouth's conduits
4 and on BellSouth's poles.

5

6 Q. What is BellSouth's response to the FCC's position?

7

8 A. The FCC's position will lead to one of two outcomes. In the first
9 outcome, no reservations are made by either BellSouth or competitors,
10 and conduit and pole space are allocated on a first come, first served
11 basis. As a result, ensuring that adequate capacity is available in a
12 timely manner for all requesting companies would become difficult if not
13 impossible. Also, emergency situations could occur in locations where
14 no spare capacity is available, thus potentially delaying restoration of
15 service and causing severe customer dissatisfaction.

16

17 In the second outcome, reservations are accepted from any party and
18 for whatever time frame is desired. The 1996 Telecommunications Act
19 does not require BellSouth to reserve space for competitors in facilities
20 for future needs of competitors. However, should BellSouth agree to
21 reserve space for possible future use by Sprint, the result could be that
22 BellSouth incurs needless expenditures for construction (materials and
23 labor) of facilities that may or may not ultimately be used. If the
24 reserving party were not required to pay for both the space used plus
25 the space reserved, inefficient use of the network would be the likely

1 result. Also, it would imply that BellSouth would be required to
2 physically monitor any space that Sprint has reserved to make sure
3 that no other company used that reserved space.

4
5 Despite the problems with both outcomes, BellSouth wishes to resolve
6 this issue. BellSouth now proposes, therefore, that the first choice be
7 adopted and that no space be reserved by any party and that available
8 space be allocated on a "first come, first served" basis. BellSouth
9 requests only that its emergency spares, which are used during
10 emergency restoration activities, be excluded from allocation. This will
11 ensure BellSouth's ability to restore customer service in a timely
12 manner during emergency situations.

13
14 ***ENGINEERING RECORDS CONCERNING POLES, DUCTS,***
15 ***CONDUITS AND RIGHTS OF WAY***

16
17 Q. Will BellSouth provide the copies of conduit and pole engineering
18 records as requested by Sprint?

19
20 A. No. Rather than agree to Sprint's request that BellSouth routinely
21 provide them copies of all its engineering records (including certain
22 records sometimes referred to as "plats"), BellSouth has agreed to
23 provide Sprint with needed information within a reasonable time frame
24 following such a request. BellSouth believes a reasonable time frame
25 for a response to be within twenty (20) days. BellSouth will allow

1 designated Sprint personnel, or agents acting on their behalf, to
2 examine the engineering records pertaining to such requests that
3 BellSouth determines would be reasonably necessary to complete the
4 job.

5
6 Engineering records contain highly proprietary, sensitive information
7 that has significant commercial value to BellSouth. If BellSouth were to
8 provide engineering records to Sprint, BellSouth would be obligated to
9 provide these types of records to all parties upon request. Further, the
10 FCC's Order accords BellSouth reasonable protection of its proprietary
11 information that would be contained in the records sought by Sprint.

12
13 **PARITY ACCESS TO SWITCH FEATURES, OVERFLOW AND**
14 **CONGESTION CONTROLS, EQUIPMENT AND INTERFACE PROTECTION,**
15 **POWER REDUNDANCY AND SPARE EQUIPMENT**

16
17 Q. What is your understanding of Sprint's request?

18
19 A. Sprint requests access at parity for five (5) operational procedures:

- 20 1. Treatment of calls from Sprint customers during periods of
21 network congestion and overload.
- 22 2. Protection of equipment and interfaces serving Sprint customers.
- 23 3. Provisions of redundant power to BellSouth equipment serving
24 Sprint customers.

25

1 4. **Provision of spare BellSouth equipment and facilities for Sprint**
2 **customers.**

3 5. **Information regarding BellSouth's deployment of new switch**
4 **features.**

5

6 Q. **Will BellSouth provide parity treatment for calls from Sprint customers**
7 **during periods of network congestion and overload?**

8

9 A. **Yes. Network management overload controls and congestion**
10 **management techniques are generally applied at the switch level,**
11 **without a determination of whose customers are affected.**

12

13 Q. **Will BellSouth provide parity treatment for protection of equipment and**
14 **interfaces serving Sprint customers?**

15

16 A. **Yes; the same equipment is often used to serve both BellSouth and**
17 **Sprint customers.**

18

19 Q. **Will BellSouth provide parity treatment for redundant power to**
20 **BellSouth equipment serving Sprint customers?**

21

22 A. **Yes. Here again, the same equipment will often be used to serve both**
23 **BellSouth and Sprint customers.**

24

25

1 Q. Will BellSouth provide parity treatment for providing spare BellSouth
2 equipment and facilities for Sprint customers?

3

4 A. Yes. Here again, the same spare equipment used by BellSouth for
5 providing service to its customers will be available for use to serve
6 Sprint customers.

7

8 Q. Will BellSouth provide parity treatment for providing information
9 regarding BellSouth's deployment of new switch features?

10

11 A. Yes. BellSouth will provide an electronic interface to its service and
12 feature inventory system called Product Service Information
13 Management System (PSIMS). PSIMS is used to determine availability
14 to services and features on an individual switch basis. This electronic
15 interface will be available during the first quarter of 1997. Rate center
16 information will be made available to Sprint via an electronic interface
17 during the first quarter of 1997. As discussed in Gloria
18 Calhoun BellSouth has also agreed to develop a process to notify Sprint
19 of relevant changes to that part of BellSouth's network serving Sprint
20 customers.

21

22 Q. Does this conclude your testimony?

23

24 A. Yes.

25